

1 ment Act (Public Law 116–139) for salaries and expenses  
2 (including staff hired, the use of outside consultants, pro-  
3 gram improvements, and system upgrades), to carry out  
4 the provisions of title I of division A of the CARES Act  
5 (Public Law 116–136).

6 (g) COLLECTION OF ADDITIONAL DATA.—The Ad-  
7 ministrator shall collect and make publically available—

8 (1) the number and dollar amount of loans ap-  
9 proved and for or disbursed under 7(a)(36) of the  
10 Small Business Act (15 U.S.C. 636(a)(36)) to bor-  
11 rowers broken out by lending institution, including a  
12 breakout of loans made by the lending institution by  
13 State, congressional district, demographics, industry,  
14 and loan size, and the number and percent of loan  
15 applicants that were new or existing customers of  
16 the lender;

17 (2) the total amount of the lender compensation  
18 fees paid to each lender under such section 7(a)(36);

19 (3) the total amount each lender paid in broker  
20 fees under such section 7(a)(36); and

21 (4) to the extent practicable, detailed informa-  
22 tion on processing times for—

23 (A) loan approvals and loan disbursements  
24 under such section 7(a)(36); and

1 (B) notices of forgiveness of the loans  
2 under section 1106 of the CARES Act (Public  
3 Law 116–136) to borrowers.

4 (h) FORMAT OF REPORTED DATA.—Not later than  
5 30 days after the date of enactment of this Act, the Ad-  
6 ministrator shall make available on a publicly available  
7 website in a standardized and downloadable format, and  
8 update on a monthly basis, any data contained in a report  
9 submitted under this section.

10 **SEC. 90017. FUNDING FOR RESOURCES AND SERVICES IN**  
11 **LANGUAGES OTHER THAN ENGLISH.**

12 Of the unobligated balances of amounts appropriated  
13 for salaries and expenses by section 1107(a)(2) of the  
14 CARES Act, \$25,000,000 shall be made available to carry  
15 out the requirements of section 1111 of such Act.

16 **SEC. 90018. DIRECT APPROPRIATION.**

17 There is appropriated, out of amounts in the Treas-  
18 ury not otherwise appropriated, for the fiscal year ending  
19 September 30, 2020, to remain available until September  
20 30, 2021—

21 (1) \$500,000,000 under the heading “Small  
22 Business Administration—Business Loans Program  
23 Account” to carry out the requirements of sections  
24 90010, 90011, and 90012 of this division; and



1           (2) \$7,000,000 under the heading “Small Busi-  
2       ness Administration—Business Loans Program Ac-  
3       count” to carry out the requirements of section  
4       90014 of this division; and

5           (3) \$50,000,000 under the heading “Small  
6       Business Administration—Entrepreneurial Develop-  
7       ment Programs” for technical assistance grants, as  
8       authorized under section 90014 of this division.

1 **DIVISION J—SUPPORT FOR ES-**  
2 **SENTIAL WORKERS, AT-RISK**  
3 **INDIVIDUALS, FAMILIES, AND**  
4 **COMMUNITIES**  
5 **TITLE I—FAMILY CARE FOR**  
6 **ESSENTIAL WORKERS**

7 **SEC. 100101. FAMILY CARE FOR ESSENTIAL WORKERS.**

8 (a) INCREASE IN FUNDING.—

9 (1) IN GENERAL.—The amount specified in  
10 subsection (c) of section 2003 of the Social Security  
11 Act for purposes of subsections (a) and (b) of such  
12 section is deemed to be \$12,150,000,000 for fiscal  
13 year 2020, of which \$850,000,000 shall be obligated  
14 by States during calendar year 2020 in accordance  
15 with subsection (b) of this section.

16 (2) APPROPRIATION.—Out of any money in the  
17 Treasury of the United States not otherwise appro-  
18 priated, there are appropriated \$850,000,000 for fis-  
19 cal year 2020 to carry out this section.

20 (b) RULES GOVERNING USE OF ADDITIONAL  
21 FUNDS.—

22 (1) IN GENERAL.—Funds are used in accord-  
23 ance with this subsection if—

24 (A) the funds are used for—

1 (i) child care services for a child of an  
2 essential worker; or

3 (ii) daytime care services or other  
4 adult protective services for an individual  
5 who—

6 (I) is a dependent, or a member  
7 of the household of, an essential work-  
8 er; and

9 (II) requires the services;

10 (B) the funds are provided to reimburse an  
11 essential worker for the cost of obtaining the  
12 services (including child care services obtained  
13 on or after the date the Secretary of Health  
14 and Human Services declared a public health  
15 emergency pursuant to section 319 of the Pub-  
16 lic Health Service Act on January 31, 2020, en-  
17 titled “Determination that a Public Health  
18 Emergency Exists Nationwide as the Result of  
19 the 2019 Novel Coronavirus”), to a provider of  
20 child care services, or to establish a temporary  
21 child care facility operated by a State or local  
22 government;

23 (C) eligibility for the funds or services, and  
24 the amount of funds or services provided, is not  
25 conditioned on a means test;

1 (D) the funds are used subject to the limi-  
2 tations in section 2005 of the Social Security  
3 Act, except that, for purposes of this subpara-  
4 graph—

5 (i) paragraphs (3), (5), and (8) of sec-  
6 tion 2005(a) of such Act shall not apply;  
7 and

8 (ii)(I) the limitation in section  
9 2005(a)(7) of such Act shall not apply  
10 with respect to any standard which the  
11 State involved determines would impede  
12 the ability of the State to provide emer-  
13 gency temporary care to a child, depend-  
14 ent, or household member referred to in  
15 subparagraph (A) of this paragraph; and

16 (II) if the State determines that such  
17 a standard would be so impeding, the  
18 State shall report the determination to the  
19 Secretary, separately from the annual re-  
20 port to the Secretary by the State;

21 (E) the funds are used to supplement, not  
22 supplant, State general revenue funds for child  
23 care assistance; and

24 (F) the funds are not used for child care  
25 costs that are—

1 (i) covered by funds provided under  
2 the Child Care and Development Block  
3 Grant Act of 1990 or section 418 of the  
4 Social Security Act; or

5 (ii) reimbursable by the Federal  
6 Emergency Management Agency.

7 (2) ESSENTIAL WORKER DEFINED.—In para-  
8 graph (1), the term “essential worker” means—

9 (A) a health sector employee;

10 (B) an emergency response worker;

11 (C) a sanitation worker;

12 (D) a worker at a business which a State  
13 or local government official has determined  
14 must remain open to serve the public during the  
15 emergency referred to in paragraph (1)(B); and

16 (E) any other worker who cannot telework,  
17 and whom the State deems to be essential dur-  
18 ing the emergency referred to in paragraph  
19 (1)(B).

1 **TITLE II—PANDEMIC EMER-**  
2 **GENCY ASSISTANCE AND**  
3 **SERVICES**

4 **SEC. 100201. FUNDING TO STATES, LOCALITIES, AND COM-**  
5 **MUNITY-BASED ORGANIZATIONS FOR EMER-**  
6 **GENCY AID AND SERVICES.**

7 (a) FUNDING FOR STATES.—

8 (1) INCREASE IN FUNDING FOR SOCIAL SERV-  
9 ICES BLOCK GRANT PROGRAM.—

10 (A) APPROPRIATION.—Out of any money  
11 in the Treasury of the United States not other-  
12 wise appropriated, there are appropriated  
13 \$9,600,000,000, which shall be available for  
14 payments under section 2002 of the Social Se-  
15 curity Act.

16 (B) DEADLINE FOR DISTRIBUTION OF  
17 FUNDS.—Within 45 days after the date of the  
18 enactment of this Act, the Secretary of Health  
19 and Human Services shall distribute the funds  
20 made available by this paragraph, which shall  
21 be made available to States on an emergency  
22 basis for immediate obligation and expenditure.

23 (C) SUBMISSION OF REVISED PRE-EX-  
24 PENDITURE REPORT.—Within 90 days after a  
25 State receives funds made available by this

1 paragraph, the State shall submit to the Sec-  
2 retary a revised pre-expenditure report pursu-  
3 ant to title XX of the Social Security Act that  
4 describes how the State plans to administer the  
5 funds.

6 (D) OBLIGATION OF FUNDS BY STATES.—  
7 A State to which funds made available by this  
8 paragraph are distributed shall obligate the  
9 funds not later than December 31, 2020.

10 (E) EXPENDITURE OF FUNDS BY  
11 STATES.—A grantee to which a State (or a sub-  
12 grantee to which a grantee) provides funds  
13 made available by this paragraph shall expend  
14 the funds not later than December 31, 2021.

15 (2) RULES GOVERNING USE OF ADDITIONAL  
16 FUNDS.—A State to which funds made available by  
17 paragraph (1)(B) are distributed shall use the funds  
18 in accordance with the following:

19 (A) PURPOSE.—

20 (i) IN GENERAL.—The State shall use  
21 the funds only to support the provision of  
22 emergency services to disadvantaged chil-  
23 dren, families, and households.

24 (ii) DISADVANTAGED DEFINED.—In  
25 this paragraph, the term “disadvantaged”

1 means, with respect to an entity, that the  
2 entity—

3 (I) is an individual, or is located  
4 in a community, that is experiencing  
5 material hardship;

6 (II) is a household in which there  
7 is a child (as defined in section 12(d)  
8 of the Richard B. Russell National  
9 School Lunch Act) or a child served  
10 under section 11(a)(1) of such Act,  
11 who, if not for the closure of the  
12 school attended by the child during a  
13 public health emergency designation  
14 and due to concerns about a COVID–  
15 19 outbreak, would receive free or re-  
16 duced price school meals pursuant to  
17 such Act;

18 (III) is an individual, or is lo-  
19 cated in a community, with barriers to  
20 employment; or

21 (IV) is located in a community  
22 that, as of the date of the enactment  
23 of this Act, is not experiencing a 56-  
24 day downward trajectory of—

25 (aa) influenza-like illnesses;



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- 1 (bb) COVID-like syndromic  
2 cases;  
3 (cc) documented COVID–19  
4 cases; or  
5 (dd) positive test results as  
6 a percentage of total COVID–19  
7 tests.

8 (B) PASS-THROUGH TO LOCAL ENTI-  
9 TIES.—

10 (i) In the case of a State in which a  
11 county administers or contributes finan-  
12 cially to the non-Federal share of the  
13 amounts expended in carrying out a State  
14 program funded under title IV of the So-  
15 cial Security Act, the State may pass funds  
16 so made available through to—

17 (I) the chief elected official of the  
18 city or urban county that administers  
19 the program; or

20 (II) local government and com-  
21 munity-based organizations.

22 (ii) In the case of any other State, the  
23 State shall—

24 (I) pass the funds through to—

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1 (aa)(AA) local governments  
2 that will expend or distribute the  
3 funds in consultation with com-  
4 munity-based organizations with  
5 experience serving disadvantaged  
6 families or individuals; or

7 (BB) community-based or-  
8 ganizations with experience serv-  
9 ing disadvantaged families and  
10 individuals; and

11 (bb) sub-State areas in pro-  
12 portions based on the population  
13 of disadvantaged individuals liv-  
14 ing in the areas; and

15 (II) report to the Secretary on  
16 how the State determined the  
17 amounts passed through pursuant to  
18 this clause.

19 (C) METHODS.—

20 (i) IN GENERAL.—The State shall use  
21 the funds only for—

22 (I) administering emergency serv-  
23 ices;

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1 (II) providing short-term cash,  
2 non-cash, or in-kind emergency dis-  
3 aster relief;

4 (III) providing services with dem-  
5 onstrated need in accordance with ob-  
6 jective criteria that are made available  
7 to the public;

8 (IV) operational costs directly re-  
9 lated to providing services described  
10 in subclauses (I), (II), and (III);

11 (V) local government emergency  
12 social service operations; and

13 (VI) providing emergency social  
14 services to rural and frontier commu-  
15 nities that may not have access to  
16 other emergency funding streams.

17 (ii) ADMINISTERING EMERGENCY  
18 SERVICES DEFINED.—In clause (i), the  
19 term “administering emergency services”  
20 means—

21 (I) providing basic disaster relief,  
22 economic, and well-being necessities to  
23 ensure communities are able to safely  
24 observe shelter-in-place and social  
25 distancing orders;

1 (II) providing necessary supplies  
2 such as masks, gloves, and soap, to  
3 protect the public against infectious  
4 disease; and

5 (III) connecting individuals, chil-  
6 dren, and families to services or pay-  
7 ments for which they may already be  
8 eligible.

9 (D) PROHIBITIONS.—

10 (i) NO INDIVIDUAL ELIGIBILITY DE-  
11 TERMINATIONS BY GRANTEES OR SUB-  
12 GRANTEES.—Neither a grantee to which  
13 the State provides the funds nor any sub-  
14 grantee of such a grantee may exercise in-  
15 dividual eligibility determinations for the  
16 purpose of administering short-term, non-  
17 cash, in-kind emergency disaster relief to  
18 communities.

19 (ii) APPLICABILITY OF CERTAIN SO-  
20 CIAL SERVICES BLOCK GRANT FUNDS USE  
21 LIMITATIONS.—The State shall use the  
22 funds subject to the limitations in section  
23 2005 of the Social Security Act, except  
24 that, for purposes of this clause, section

1                   2005(a)(2) and 2005(a)(8) of such Act  
2                   shall not apply.

3                   (iii) NO SUPPLANTATION OF CERTAIN  
4                   STATE FUNDS.—The State may use the  
5                   funds to supplement, not supplant, State  
6                   general revenue funds for social services.

7                   (iv) BAN ON USE FOR CERTAIN COSTS  
8                   REIMBURSABLE BY FEMA.—The State may  
9                   not use the funds for costs that are reim-  
10                  bursable by the Federal Emergency Man-  
11                  agement Agency, under a contract for in-  
12                  surance, or by self-insurance.

13               (b) FUNDING FOR FEDERALLY RECOGNIZED INDIAN  
14               TRIBES AND TRIBAL ORGANIZATIONS.—

15               (1) GRANTS.—

16               (A) IN GENERAL.—Within 90 days after  
17               the date of the enactment of this Act, the Sec-  
18               retary of Health and Human Services shall  
19               make grants to federally recognized Indian  
20               Tribes and Tribal organizations.

21               (B) AMOUNT OF GRANT.—The amount of  
22               the grant for an Indian Tribe or Tribal organi-  
23               zation shall bear the same ratio to the amount  
24               appropriated by paragraph (3) as the total  
25               amount of grants awarded to the Indian Tribe

1 or Tribal organization under the Low-Income  
2 Home Energy Assistance Act of 1981 and the  
3 Community Service Block Grant for fiscal year  
4 2020 bears to the total amount of grants  
5 awarded to all Indian Tribes and Tribal organi-  
6 zations under such Act and such Grant for the  
7 fiscal year.

8 (2) RULES GOVERNING USE OF FUNDS.—An  
9 entity to which a grant is made under paragraph (1)  
10 shall obligate the funds not later than December 31,  
11 2020, and the funds shall be expended by grantees  
12 and subgrantees not later than December 31, 2021,  
13 and used in accordance with the following:

14 (A) PURPOSE.—

15 (i) IN GENERAL.—The grantee shall  
16 use the funds only to support the provision  
17 of emergency services to disadvantaged  
18 households.

19 (ii) DISADVANTAGED DEFINED.—In  
20 clause (i), the term “disadvantaged”  
21 means, with respect to an entity, that the  
22 entity—

23 (I) is an individual, or is located  
24 in a community, that is experiencing  
25 material hardship;

1 (II) is a household in which there  
2 is a child (as defined in section 12(d)  
3 of the Richard B. Russell National  
4 School Lunch Act) or a child served  
5 under section 11(a)(1) of such Act,  
6 who, if not for the closure of the  
7 school attended by the child during a  
8 public health emergency designation  
9 and due to concerns about a COVID–  
10 19 outbreak, would receive free or re-  
11 duced price school meals pursuant to  
12 such Act;

13 (III) is an individual, or is lo-  
14 cated in a community, with barriers to  
15 employment; or

16 (IV) is located in a community  
17 that, as of the date of the enactment  
18 of this Act, is not experiencing a 56-  
19 day downward trajectory of—

20 (aa) influenza-like illnesses;

21 (bb) COVID-like syndromic  
22 cases;

23 (cc) documented COVID–19  
24 cases; or

1 (dd) positive test results as  
2 a percentage of total COVID–19  
3 tests.

4 (B) METHODS.—

5 (i) IN GENERAL.—The grantee shall  
6 use the funds only for—

7 (I) administering emergency serv-  
8 ices;

9 (II) providing short-term, non-  
10 cash, in-kind emergency disaster re-  
11 lief; and

12 (III) tribal emergency social serv-  
13 ice operations.

14 (ii) ADMINISTERING EMERGENCY  
15 SERVICES DEFINED.—In clause (i), the  
16 term “administering emergency services”  
17 means—

18 (I) providing basic economic and  
19 well-being necessities to ensure com-  
20 munities are able to safely observe  
21 shelter-in-place and social distancing  
22 orders;

23 (II) providing necessary supplies  
24 such as masks, gloves, and soap, to



1 protect the public against infectious  
2 disease; and

3 (III) connecting individuals, chil-  
4 dren, and families to services or pay-  
5 ments for which they may already be  
6 eligible.

7 (C) PROHIBITIONS.—

8 (i) NO INDIVIDUAL ELIGIBILITY DE-  
9 TERMINATIONS BY GRANTEES OR SUB-  
10 GRANTEES.—Neither the grantee nor any  
11 subgrantee may exercise individual eligi-  
12 bility determinations for the purpose of ad-  
13 ministering short-term, non-cash, in-kind  
14 emergency disaster relief to communities.

15 (ii) BAN ON USE FOR CERTAIN COSTS  
16 REIMBURSABLE BY FEMA.—The grantee  
17 may not use the funds for costs that are  
18 reimbursable by the Federal Emergency  
19 Management Agency, under a contract for  
20 insurance, or by self-insurance.

21 (3) APPROPRIATION.—Out of any money in the  
22 Treasury of the United States not otherwise appro-  
23 priated, there are appropriated to the Secretary of  
24 Health and Human Services \$400,000,000 to carry  
25 out this subsection.

1 **SEC. 100202. EMERGENCY ASSISTANCE TO OLDER FOSTER**  
2 **YOUTH.**

3 (a) FUNDING INCREASES.—

4 (1) GENERAL PROGRAM.—The dollar amount  
5 specified in section 477(h)(1) of the Social Security  
6 Act for fiscal year 2020 is deemed to be  
7 \$193,000,000.

8 (2) EDUCATION AND TRAINING VOUCHERS.—  
9 The dollar amount specified in section 477(h)(2) of  
10 such Act for fiscal year 2020 is deemed to be  
11 \$78,000,000.

12 (b) PROGRAMMATIC FLEXIBILITY.—With respect to  
13 the period that begins on March 1, 2020, and ends Janu-  
14 ary 31, 2021:

15 (1) ELIMINATION OF AGE LIMITATIONS ON ELI-  
16 GIBILITY FOR ASSISTANCE.—Eligibility for services  
17 or assistance under a State program operated pursu-  
18 ant to section 477 of the Social Security Act shall  
19 be provided without regard to the age of the recipi-  
20 ent.

21 (2) SUSPENSION OF WORK AND EDUCATION RE-  
22 QUIREMENTS UNDER THE EDUCATION AND TRAIN-  
23 ING VOUCHER PROGRAM.—Section 477(i)(3) of the  
24 Social Security Act shall be applied and adminis-  
25 tered without regard to any work or education re-  
26 quirement.

1           (3) AUTHORITY TO WAIVE LIMITATION ON PER-  
2           CENTAGE OF FUNDS USED FOR HOUSING ASSIST-  
3           ANCE.—The Secretary of Health and Human Serv-  
4           ices (in this subsection referred to as the “Sec-  
5           retary”) may apply and administer section 477 of  
6           the Social Security Act without regard to subsection  
7           (b)(3)(B) of such section.

8           (4) ELIMINATION OF EDUCATION AND EMPLOY-  
9           MENT REQUIREMENTS FOR CERTAIN FOSTER  
10          YOUTH.—The Secretary may waive the applicability  
11          of subclauses (I) through (IV) of section  
12          475(8)(B)(iv) of the Social Security Act.

13          (c) STATE DEFINED.—In subsection (a), the term  
14          “State” has the meaning given the term in section  
15          1101(a) of the Social Security Act for purposes of title  
16          IV of such Act, and includes an Indian tribe, tribal organi-  
17          zation, or tribal consortium with an application and plan  
18          approved under section 477(j) of such Act for fiscal year  
19          2020.

20       **SEC. 100203. EMERGENCY ASSISTANCE TO FAMILIES**  
21               **THROUGH HOME VISITING PROGRAMS.**

22          (a) IN GENERAL.—For purposes of section 511 of the  
23          Social Security Act, during the period that begins on Feb-  
24          ruary 1, 2020, and ends January 31, 2021—

1           (1) a virtual home visit shall be considered a  
2       home visit;

3           (2) funding for, and staffing levels of, a pro-  
4       gram conducted pursuant to such section shall not  
5       be reduced on account of reduced enrollment in the  
6       program; and

7           (3) funds provided for such a program may be  
8       used—

9                   (A) to train home visitors in conducting a  
10       virtual home visit and in emergency prepared-  
11       ness and response planning for families served;

12                   (B) for the acquisition by families enrolled  
13       in the program of such technological means as  
14       are needed to conduct and support a virtual  
15       home visit;

16                   (C) to provide emergency supplies (such as  
17       diapers, formula, non-perishable food, water,  
18       hand soap and hand sanitizer) to families  
19       served; and

20                   (D) to provide prepaid debit cards to an el-  
21       igible family (as defined in section 511(k)(2) of  
22       such Act) for the purpose of enabling the family  
23       to meet the emergency needs of the family.

1 (b) VIRTUAL HOME VISIT DEFINED.—In subsection  
2 (a), the term “virtual home visit” means a visit that is  
3 conducted solely by electronic means.

4 (c) AUTHORITY TO DELAY DEADLINES.—

5 (1) IN GENERAL.—The Secretary of Health and  
6 Human Services may extend the deadline by which  
7 a requirement of section 511 of the Social Security  
8 Act must be met, by such period of time as the Sec-  
9 retary deems appropriate.

10 (2) GUIDANCE.—The Secretary shall provide to  
11 eligible entities funded under section 511 of the So-  
12 cial Security Act information on the parameters  
13 used in extending a deadline under paragraph (1) of  
14 this subsection.

15 (d) SUPPLEMENTAL APPROPRIATION.—In addition  
16 to amounts otherwise appropriated, out of any money in  
17 the Treasury of the United States not otherwise appro-  
18 priated, there are appropriated to the Secretary of Health  
19 and Human Services \$100,000,000, to enable eligible enti-  
20 ties to conduct programs funded under section 511 of the  
21 Social Security Act pursuant to this section, which shall  
22 remain available for obligation not later than January 31,  
23 2021.

1 **TITLE III—PROGRAM FLEXI-**  
2 **BILITY DURING THE PAN-**  
3 **DEMIC**

4 **SEC. 100301. EMERGENCY FLEXIBILITY FOR CHILD WEL-**  
5 **FARE PROGRAMS.**

6 (a) IN GENERAL.—With respect to the period that  
7 begins on March 1, 2020, and ends January 31, 2021:

8 (1) AUTHORITY OF STATES TO DETERMINE  
9 HOW DAILY ACTIVITIES MAY BE CONDUCTED RE-  
10 MOTELY.—The Secretary of Health and Human  
11 Services may allow a State to determine how daily  
12 activities under the State plan developed under part  
13 B of title IV of the Social Security Act and the  
14 State program funded under section 477 of such Act  
15 may be conducted through electronic means to com-  
16 ply with public health guidelines relating to social  
17 distancing, including conducting any required court  
18 proceedings pertaining to children in care. In mak-  
19 ing any such determination, the State shall work to  
20 ensure that the safety and health of each child in  
21 care remains paramount.

22 (2) COUNTING OF REMOTE CASEWORKER VISITS  
23 AS IN-PERSON VISITS.—In the case of a foster child  
24 who has attained 18 years of age and with respect  
25 to whom foster care maintenance payments are

1 being made under a State plan approved under part  
2 E of title IV of the Social Security Act, caseworker  
3 contact with the child that includes visual and audi-  
4 tory contact and which is conducted solely by elec-  
5 tronic means is deemed an in-person visit to the  
6 child by the caseworker for purposes of section  
7 424(f)(1)(A) of such Act if the child is visited by the  
8 caseworker in person not less than once every 6  
9 months while in such care.

10 (b) STATE DEFINED.—In subsection (a), the term  
11 “State” has the meaning given the term in section  
12 1101(a) of the Social Security Act for purposes of title  
13 IV of such Act, and includes an Indian tribe, tribal organi-  
14 zation, or tribal consortium with an application and plan  
15 approved under this section 477(j) of such Act for fiscal  
16 year 2020.

17 **SEC. 100302. EMERGENCY FLEXIBILITY FOR CHILD SUP-**  
18 **PORT PROGRAMS.**

19 (a) IN GENERAL.—With respect to the period that  
20 begins on March 1, 2020, and ends January 31, 2021:

21 (1) Sections 408(a)(2), 409(a)(5), and  
22 409(a)(8) of the Social Security Act shall have no  
23 force or effect.

24 (2) Notwithstanding section 466(d) of such Act,  
25 the Secretary of Health and Human Services (in this

1 subsection referred to as the “Secretary”) may ex-  
2 empt a State from any requirement of section 466  
3 of such Act to respond to the COVID–19 pandemic,  
4 except that the Secretary may not exempt a State  
5 from any requirement to—

6 (A) provide a parent with notice of a right  
7 to request a review and, if appropriate, adjust-  
8 ment of a support order; or

9 (B) afford a parent the opportunity to  
10 make such a request.

11 (3) The Secretary may not impose a penalty or  
12 take any other adverse action against a State pursu-  
13 ant to section 452(g)(1) of such Act for failure to  
14 achieve a paternity establishment percentage of less  
15 than 90 percent.

16 (4) The Secretary may not find that the pater-  
17 nity establishment percentage for a State is not  
18 based on reliable data for purposes of section  
19 452(g)(1) of such Act, and the Secretary may not  
20 determine that the data which a State submitted  
21 pursuant to section 452(a)(4)(C)(i) of such Act and  
22 which is used in determining a performance level is  
23 not complete or reliable for purposes of section  
24 458(b)(5)(B) of such Act, on the basis of the failure



1 of the State to submit OCSE Form 396 or 34 in a  
2 timely manner.

3 (5) The Secretary may not impose a penalty or  
4 take any other adverse action against a State for  
5 failure to comply with section 454A(g)(1)(A)(i) of  
6 such Act.

7 (6) The Secretary may not disapprove a State  
8 plan submitted pursuant to part D of title IV of  
9 such Act for failure of the plan to meet the require-  
10 ment of section 454(1) of such Act, and may not im-  
11 pose a penalty or take any other adverse action  
12 against a State with such a plan that meets that re-  
13 quirement for failure to comply with that require-  
14 ment.

15 (7) To the extent that a preceding provision of  
16 this section applies with respect to a provision of law  
17 applicable to a program operated by an Indian tribe  
18 or tribal organization (as defined in subsections (e)  
19 and (l) of section 4 of the Indian Self-Determination  
20 and Education Assistance Act (25 U.S.C. 450b)),  
21 that preceding provision shall apply with respect to  
22 the Indian tribe or tribal organization.

23 (b) STATE DEFINED.—In subsection (a), the term  
24 “State” has the meaning given the term in section

1 1101(a) of the Social Security Act for purposes of title  
2 IV of such Act.

3 **SEC. 100303. EMERGENCY FLEXIBILITY FOR STATE TANF**  
4 **PROGRAMS.**

5 (a) STATE PROGRAMS.—Sections 407(a), 407(e)(1),  
6 and 408(a)(7)(A) of the Social Security Act shall have no  
7 force or effect during the applicable period, and para-  
8 graphs (3), (9), (14), and (15) of section 409(a) of such  
9 Act shall not apply with respect to conduct engaged in  
10 during the period.

11 (b) TRIBAL PROGRAMS.—The minimum work partici-  
12 pation requirements and time limits established under sec-  
13 tion 412(c) of the Social Security Act shall have no force  
14 or effect during the applicable period, and the penalties  
15 established under such section shall not apply with respect  
16 to conduct engaged in during the period.

17 (c) PENALTY FOR NONCOMPLIANCE.—

18 (1) IN GENERAL.—If the Secretary of Health  
19 and Human Services finds that a State or an Indian  
20 tribe has imposed a work requirement as a condition  
21 of receiving assistance, or a time limit on the provi-  
22 sion of assistance, under a program funded under  
23 part A of title IV of the Social Security Act or any  
24 program funded with qualified State expenditures  
25 (as defined in section 409(a)(7)(B)(i) of such Act)

1 during the applicable period, or has imposed a pen-  
2 alty for failure to comply with a work requirement  
3 during the period, the Secretary shall reduce the  
4 grant payable to the State under section 403(a)(1)  
5 of such Act or the grant payable to the tribe under  
6 section 412(a)(1) of such Act, as the case may be,  
7 for fiscal year 2021 by an amount equal to 5 percent  
8 of the State or tribal family assistance grant, as the  
9 case may be.

10 (2) APPLICABILITY OF CERTAIN PROVISIONS.—  
11 For purposes of section 409(d) of the Social Secu-  
12 rity Act, paragraph (1) of this subsection shall be  
13 considered to be included in section 409(a) of such  
14 Act.

15 (d) DEFINITIONS.—In this section:

16 (1) APPLICABLE PERIOD.—The term “applica-  
17 ble period” means the period that begins on March  
18 1, 2020, and ends January 31, 2021.

19 (2) WORK REQUIREMENT.—The term “work re-  
20 quirement” means a requirement to engage in a  
21 work activity (as defined in section 407(d) of the So-  
22 cial Security Act) or other work-related activity as  
23 defined by a State or tribal program funded under  
24 part A of title IV of such Act.

1           (3) OTHER TERMS.—Each other term has the  
2           meaning given the term in section 419 of the Social  
3           Security Act.

1           **DIVISION K—COVID-19 HERO ACT**

2   **SEC. 110001. SHORT TITLE; TABLE OF CONTENTS.**

3           This division may be cited as the “COVID-19 Hous-  
4   ing, Economic Relief, and Oversight Act” or the “COVID-  
5   19 HERO Act”.

6   **TITLE I—PROVIDING MEDICAL EQUIPMENT**  
7       **FOR FIRST RESPONDERS AND ESSENTIAL**  
8       **WORKERS**

9   **SEC. 110101. COVID-19 EMERGENCY MEDICAL SUPPLIES EN-**  
10       **HANCEMENT.**

11       (a) DETERMINATION ON EMERGENCY SUPPLIES AND  
12   RELATIONSHIP TO STATE AND LOCAL EFFORTS.—

13           (1) DETERMINATION.—For the purposes of sec-  
14   tion 101 of the Defense Production Act of 1950 (50  
15   U.S.C. 4511), the following materials shall be  
16   deemed to be scarce and critical materials essential  
17   to the national defense and otherwise meet the re-  
18   quirements of section 101(b) of such Act during the  
19   COVID-19 emergency period:

20           (A) Diagnostic tests, including serological  
21   tests, for COVID-19 and the reagents and  
22   other materials necessary for producing or con-  
23   ducting such tests.

24           (B) Personal protective equipment, includ-  
25   ing face shields, N-95 respirator masks, and

1 any other masks determined by the Secretary of  
2 Health and Human Services to be needed to re-  
3 spond to the COVID–19 pandemic, and the ma-  
4 terials to produce such equipment.

5 (C) Medical ventilators, the components  
6 necessary to make such ventilators, and medi-  
7 cines needed to use a ventilator as a treatment  
8 for any individual who is hospitalized for  
9 COVID–19.

10 (D) Pharmaceuticals and any medicines  
11 determined by the Food and Drug Administra-  
12 tion or another Government agency to be effec-  
13 tive in treating COVID–19 (including vaccines  
14 for COVID–19) and any materials necessary to  
15 produce or use such pharmaceuticals or medi-  
16 cines (including self-injection syringes or other  
17 delivery systems).

18 (E) Any other medical equipment or sup-  
19 plies determined by the Secretary of Health and  
20 Human Services or the Secretary of Homeland  
21 Security to be scarce and critical materials es-  
22 sential to the national defense for purposes of  
23 section 101 of the Defense Production Act of  
24 1950 (50 U.S.C. 4511).

1           (2) EXERCISE OF TITLE I AUTHORITIES IN RE-  
2           LATION TO CONTRACTS BY STATE AND LOCAL GOV-  
3           ERNMENTS.—In exercising authorities under title I  
4           of the Defense Production Act of 1950 (50 U.S.C.  
5           4511 et seq.) during the COVID–19 emergency pe-  
6           riod, the President (and any officer or employee of  
7           the United States to which authorities under such  
8           title I have been delegated)—

9           (A) may exercise the prioritization or allo-  
10          cation authority provided in such title I to ex-  
11          clude any materials described in paragraph (1)  
12          ordered by a State or local government that are  
13          scheduled to be delivered within 15 days of the  
14          time at which—

15               (i) the purchase order or contract by  
16               the Federal Government for such materials  
17               is made; or

18               (ii) the materials are otherwise allo-  
19               cated by the Federal Government under  
20               the authorities contained in such Act; and

21          (B) shall, within 24 hours of any exercise  
22          of the prioritization or allocation authority pro-  
23          vided in such title I—

24               (i) notify any State or local govern-  
25               ment if the exercise of such authorities

1                   would delay the receipt of such materials  
2                   ordered by such government; and  
3                   (ii) take such steps as may be nec-  
4                   essary to ensure that such materials or-  
5                   dered by such government are delivered in  
6                   the shortest possible period.

7           (3) UPDATE TO THE FEDERAL ACQUISITION  
8   REGULATION.—Not later than 15 days after the  
9   date of the enactment of this Act, the Federal Ac-  
10   quisition Regulation shall be revised to reflect the  
11   requirements of paragraph (2)(A).

12   (b) ENGAGEMENT WITH THE PRIVATE SECTOR.—

13           (1) SENSE OF CONGRESS.—The Congress—

14                   (A) appreciates the willingness of private  
15                   companies not traditionally involved in pro-  
16                   ducing items for the health sector to volunteer  
17                   to use their expertise and supply chains to  
18                   produce essential medical supplies and equip-  
19                   ment;

20                   (B) encourages other manufacturers to re-  
21                   view their existing capacity and to develop ca-  
22                   pacity to produce essential medical supplies,  
23                   medical equipment, and medical treatments to  
24                   address the COVID–19 emergency; and



1 (C) commends and expresses deep appre-  
2 ciation to individual citizens who have been pro-  
3 ducing personal protective equipment and other  
4 materials for, in particular, use at hospitals in  
5 their community.

6 (2) OUTREACH REPRESENTATIVE.—

7 (A) DESIGNATION.—Consistent with the  
8 authorities in title VII of the Defense Produc-  
9 tion Act of 1950 (50 U.S.C. 4551 et seq.), the  
10 Administrator of the Federal Emergency Man-  
11 agement Agency, in consultation with the Sec-  
12 retary of Health and Human Services, shall  
13 designate or shall appoint, pursuant to section  
14 703 of such Act (50 U.S.C. 4553), an indi-  
15 vidual to be known as the “Outreach Rep-  
16 resentative”. Such individual shall—

17 (i) be appointed from among individ-  
18 uals with substantial experience in the pri-  
19 vate sector in the production of medical  
20 supplies or equipment; and

21 (ii) act as the Government-wide single  
22 point of contact during the COVID–19  
23 emergency for outreach to manufacturing  
24 companies and their suppliers who may be  
25 interested in producing medical supplies or

1 equipment, including the materials de-  
2 scribed under subsection (a).

3 (B) ENCOURAGING PARTNERSHIPS.—The  
4 Outreach Representative shall seek to develop  
5 partnerships between companies, in coordina-  
6 tion with the Supply Chain Stabilization Task  
7 Force or any overall coordinator appointed by  
8 the President to oversee the response to the  
9 COVID–19 emergency, including through the  
10 exercise of the authorities under section 708 of  
11 the Defense Production Act of 1950 (50 U.S.C.  
12 4558).

13 (c) ENHANCEMENT OF SUPPLY CHAIN PRODUC-  
14 TION.—In exercising authority under title III of the De-  
15 fense Production Act of 1950 (50 U.S.C. 4531 et seq.)  
16 with respect to materials described in subsection (a), the  
17 President shall seek to ensure that support is provided to  
18 companies that comprise the supply chains for reagents,  
19 components, raw materials, and other materials and items  
20 necessary to produce or use the materials described in sub-  
21 section (a).

22 (d) OVERSIGHT OF CURRENT ACTIVITY AND  
23 NEEDS.—

24 (1) RESPONSE TO IMMEDIATE NEEDS.—

1 (A) IN GENERAL.—Not later than 7 days  
2 after the date of the enactment of this Act, the  
3 President, in coordination with the National  
4 Response Coordination Center of the Federal  
5 Emergency Management Agency, the Adminis-  
6 trator of the Defense Logistics Agency, the Sec-  
7 retary of Health and Human Services, the Sec-  
8 retary of Veterans Affairs, and heads of other  
9 Federal agencies (as appropriate), shall submit  
10 to the appropriate congressional committees a  
11 report assessing the immediate needs described  
12 in subparagraph (B) to combat the COVID–19  
13 pandemic and the plan for meeting those imme-  
14 diate needs.

15 (B) ASSESSMENT.—The report required by  
16 this paragraph shall include—

17 (i) an assessment of the needs for  
18 medical supplies or equipment necessary to  
19 address the needs of the population of the  
20 United States infected by the virus SARS–  
21 CoV–2 that causes COVID–19 and to pre-  
22 vent an increase in the incidence of  
23 COVID–19 throughout the United States,  
24 including diagnostic tests, serological tests,  
25 medicines that have been approved by the

1 Food and Drug Administration to treat  
2 COVID–19, and ventilators and medicines  
3 needed to employ ventilators;

4 (ii) based on meaningful consultations  
5 with relevant stakeholders, an assessment  
6 of the need for personal protective equip-  
7 ment and other supplies (including diag-  
8 nostic tests) required by—

9 (I) health professionals, health  
10 workers, and hospital staff;

11 (II) workers in industries and  
12 sectors described in the “Advisory  
13 Memorandum on Identification of Es-  
14 sential Critical Infrastructure Work-  
15 ers during the COVID–19 Response”  
16 issued by the Director of Cybersecu-  
17 rity and Infrastructure Security Agen-  
18 cy of the Department of Homeland  
19 Security on April 17, 2020 (and any  
20 expansion of industries and sectors in-  
21 cluded in updates to such advisory  
22 memorandum); and

23 (III) other workers determined to  
24 be essential based on such consulta-  
25 tion;

1 (iii) an assessment of the quantities of  
2 equipment and supplies in the Strategic  
3 National Stockpile (established under sec-  
4 tion 319F-2 of the Public Health Service  
5 Act ((42 U.S.C. 247d-6b(a)(1))) as of the  
6 date of the report, and the projected gap  
7 between the quantities of equipment and  
8 supplies identified as needed in the assess-  
9 ment under clauses (i) and (ii) and the  
10 quantities in the Strategic National Stock-  
11 pile;

12 (iv) an identification of the industry  
13 sectors and manufacturers most ready to  
14 fulfill purchase orders for such equipment  
15 and supplies (including manufacturers that  
16 may be incentivized) through the exercise  
17 of authority under section 303(e) of the  
18 Defense Production Act of 1950 (50  
19 U.S.C. 4533(e)) to modify, expand, or im-  
20 prove production processes to manufacture  
21 such equipment and supplies to respond  
22 immediately to a need identified in clause  
23 (i) or (ii);

24 (v) an identification of Government-  
25 owned and privately-owned stockpiles of

1           such equipment and supplies not included  
2           in the Strategic National Stockpile that  
3           could be repaired or refurbished;

4                   (vi) an identification of previously dis-  
5           tributed critical supplies that can be redis-  
6           tributed based on current need;

7                   (vii) a description of any exercise of  
8           the authorities described under paragraph  
9           (1)(E) or (2)(A) of subsection (a); and

10                   (viii) an identification of critical areas  
11           of need, by county and by areas identified  
12           by the Indian Health Service, in the  
13           United States and the metrics and criteria  
14           for identification as a critical area.

15           (C) PLAN.—The report required by this  
16           paragraph shall include a plan for meeting the  
17           immediate needs to combat the COVID–19 pan-  
18           demic, including the needs described in sub-  
19           paragraph (B). Such plan shall include—

20                   (i) each contract the Federal Govern-  
21           ment has entered into to meet such needs,  
22           including the purpose of each contract, the  
23           type and amount of equipment, supplies, or  
24           services to be provided under the contract,

1 the entity performing such contract, and  
2 the dollar amount of each contract;

3 (ii) each contract that the Federal  
4 Government intends to enter into within  
5 14 days after submission of such report,  
6 including the information described in sub-  
7 paragraph (B) for each such contract; and

8 (iii) whether any of the contracts de-  
9 scribed in clause (i) or (ii) have or will  
10 have a priority rating under the Defense  
11 Production Act of 1950 (50 U.S.C. 4501  
12 et seq.), including purchase orders pursu-  
13 ant to Department of Defense Directive  
14 4400.1 (or any successor directive), sub-  
15 part A of part 101 of title 45, Code of  
16 Federal Regulations, or any other applica-  
17 ble authority.

18 (D) ADDITIONAL REQUIREMENTS.—The  
19 report required by this paragraph, and each up-  
20 date required by subparagraph (E), shall in-  
21 clude—

22 (i) any requests for equipment and  
23 supplies from State or local governments  
24 and Indian Tribes, and an accompanying

1 list of the employers and unions consulted  
2 in developing these requests;

3 (ii) any modeling or formulas used to  
4 determine allocation of equipment and sup-  
5 plies, and any related chain of command  
6 issues on making final decisions on alloca-  
7 tions;

8 (iii) the amount and destination of  
9 equipment and supplies delivered;

10 (iv) an explanation of why any portion  
11 of any contract, whether to replenish the  
12 Strategic National Stockpile or otherwise,  
13 will not be filled;

14 (v) of products procured under this  
15 section, the percentage of such products  
16 that are used to replenish the Strategic  
17 National Stockpile, that are targeted to  
18 COVID–19 hotspots, and that are used for  
19 the commercial market;

20 (vi) metrics, formulas, and criteria  
21 used to determine COVID–19 hotspots or  
22 areas of critical need for a State, county,  
23 or an area identified by the Indian Health  
24 Service;



1 (vii) production and procurement  
2 benchmarks, where practicable; and  
3 (viii) results of the consultation with  
4 the relevant stakeholders required by sub-  
5 paragraph (B)(ii).

6 (E) UPDATES.—The President, in coordi-  
7 nation with the National Response Coordination  
8 Center of the Federal Emergency Management  
9 Agency, the Administrator of the Defense Lo-  
10 gistics Agency, the Secretary of Health and  
11 Human Services, the Secretary of Veterans Af-  
12 fairs, and heads of other Federal agencies (as  
13 appropriate), shall update such report every 14  
14 days.

15 (F) PUBLIC AVAILABILITY.—The President  
16 shall make the report required by this para-  
17 graph and each update required by subpara-  
18 graph (E) available to the public, including on  
19 a Government website.

20 (2) RESPONSE TO LONGER-TERM NEEDS.—

21 (A) IN GENERAL.—Not later than 14 days  
22 after the date of enactment of this Act, the  
23 President, in coordination with the National  
24 Response Coordination Center of the Federal  
25 Emergency Management Agency, the Adminis-

1           trator of the Defense Logistics Agency, the Sec-  
2           retary of Health and Human Services, the Sec-  
3           retary of Veterans Affairs, and heads of other  
4           Federal agencies (as appropriate), shall submit  
5           to the appropriate congressional committees a  
6           report containing an assessment of the needs  
7           described in subparagraph (B) to combat the  
8           COVID–19 pandemic and the plan for meeting  
9           such needs during the 6-month period begin-  
10          ning on the date of submission of the report.

11           (B) ASSESSMENT.—The report required by  
12          this paragraph shall include—

13                   (i) an assessment of the elements de-  
14                   scribe in clauses (i) through (v) and clause  
15                   (viii) of paragraph (1)(B); and

16                   (ii) an assessment of needs related to  
17                   COVID–19 vaccines and any additional  
18                   services to address the COVID–19 pan-  
19                   demic, including services related to health  
20                   surveillance to ensure that the appropriate  
21                   level of contact tracing related to detected  
22                   infections is available throughout the  
23                   United States.

24           (C) PLAN.—The report required by this  
25          paragraph shall include a plan for meeting the

1 longer-term needs to combat the COVID-19  
2 pandemic, including the needs described in sub-  
3 paragraph (B). This plan shall include—

4 (i) a plan to exercise authorities under  
5 the Defense Production Act of 1950 (50  
6 U.S.C. 4501 et seq.) necessary to increase  
7 the production of the medical equipment,  
8 supplies, and services that are essential to  
9 meeting the needs identified in subpara-  
10 graph (B), including the number of N-95  
11 respirator masks and other personal pro-  
12 tective equipment needed, based on mean-  
13 ingful consultations with relevant stake-  
14 holders, by the private sector to resume  
15 economic activity and by the public and  
16 nonprofit sectors to significantly increase  
17 their activities;

18 (ii) results of the consultations with  
19 the relevant stakeholders required by  
20 clause (i)(II);

21 (iii) an estimate of the funding and  
22 other measures necessary to rapidly ex-  
23 pand manufacturing production capacity  
24 for such equipment and supplies, includ-  
25 ing—

1 (I) any efforts to expand, retool,  
2 or reconfigure production lines;

3 (II) any efforts to establish new  
4 production lines through the purchase  
5 and installation of new equipment; or

6 (III) the issuance of additional  
7 contracts, purchase orders, purchase  
8 guarantees, or other similar measures;

9 (iv) each contract the Federal Govern-  
10 ment has entered into to meet such needs  
11 or expand such production, the purpose of  
12 each contract, the type and amount of  
13 equipment, supplies, or services to be pro-  
14 vided under the contract, the entity per-  
15 forming such contract, and the dollar  
16 amount of each contract;

17 (v) each contract that the Federal  
18 Government intends to enter into within  
19 14 days after submission of such report,  
20 including the information described in  
21 clause (iv) for each such contract;

22 (vi) whether any of the contracts de-  
23 scribed in clause (iv) or (v) have or will  
24 have a priority rating under the Defense  
25 Production Act of 1950 (50 U.S.C. 4501

1 et seq.), including purchase orders pursu-  
2 ant to Department of Defense Directive  
3 4400.1 (or any successor directive), sub-  
4 part A of part 101 of title 45, Code of  
5 Federal Regulations, or any other applica-  
6 ble authority; and

7 (vii) the manner in which the Defense  
8 Production Act of 1950 (50 U.S.C. 4501  
9 et seq.) could be used to increase services  
10 necessary to combat the COVID-19 pan-  
11 demic, including services described in sub-  
12 paragraph (B)(ii).

13 (D) UPDATES.—The President, in coordi-  
14 nation with the National Response Coordination  
15 Center of the Federal Emergency Management  
16 Agency, the Administrator of the Defense Lo-  
17 gistics Agency, the Secretary of Health and  
18 Human Services, the Secretary of Veterans Af-  
19 fairs, and heads of other Federal agencies (as  
20 appropriate), shall update such report every 14  
21 days.

22 (E) PUBLIC AVAILABILITY.—The Presi-  
23 dent shall make the report required by this sub-  
24 section and each update required by subpara-

1 graph (D) available to the public, including on  
2 a Government website.

3 (3) REPORT ON EXERCISING AUTHORITIES  
4 UNDER THE DEFENSE PRODUCTION ACT OF 1950.—

5 (A) IN GENERAL.—Not later than 14 days  
6 after the date of the enactment of this Act, the  
7 President, in consultation with the Adminis-  
8 trator of the Federal Emergency Management  
9 Agency, the Secretary of Defense, and the Sec-  
10 retary of Health and Human Services, shall  
11 submit to the appropriate congressional com-  
12 mittees a report on the exercise of authorities  
13 under titles I, III, and VII of the Defense Pro-  
14 duction Act of 1950 (50 U.S.C. 4501 et seq.)  
15 prior to the date of such report.

16 (B) CONTENTS.—The report required  
17 under subparagraph (A) and each update re-  
18 quired under subparagraph (C) shall include,  
19 with respect to each exercise of such author-  
20 ity—

21 (i) an explanation of the purpose of  
22 the applicable contract, purchase order, or  
23 other exercise of authority (including an  
24 allocation of materials, services, and facili-  
25 ties under section 101(a)(2) of the Defense

1                   Production Act of 1950 (50 U.S.C.  
2                   4511(a)(2));

3                   (ii) the cost of such exercise of au-  
4                   thority; and

5                   (iii) if applicable—

6                   (I) the amount of goods that  
7                   were purchased or allocated;

8                   (II) an identification of the entity  
9                   awarded a contract or purchase order  
10                  or that was the subject of the exercise  
11                  of authority; and

12                  (III) an identification of any en-  
13                  tity that had shipments delayed by the  
14                  exercise of any authority under the  
15                  Defense Production Act of 1950 (50  
16                  U.S.C. 4501 et seq.).

17                  (C) UPDATES.—The President shall up-  
18                  date the report required under subparagraph  
19                  (A) every 14 days.

20                  (D) PUBLIC AVAILABILITY.—The Presi-  
21                  dent shall make the report required by this sub-  
22                  section and each update required by subpara-  
23                  graph (C) available to the public, including on  
24                  a Government website.

1           (4) QUARTERLY REPORTING.—The President  
2       shall submit to Congress, and make available to the  
3       public (including on a Government website), a quar-  
4       terly report detailing all expenditures made pursuant  
5       to titles I, III, and VII of the Defense Production  
6       Act of 1950 50 U.S.C. 4501 et seq.).

7           (5) SUNSET.—The requirements of this sub-  
8       section shall terminate on the later of—

9                       (A) December 31, 2021; or

10                      (B) the end of the COVID–19 emergency  
11       period.

12       (e) ENHANCEMENTS TO THE DEFENSE PRODUCTION  
13   ACT OF 1950.—

14           (1) HEALTH EMERGENCY AUTHORITY.—Section  
15       107 of the Defense Production Act of 1950 (50  
16       U.S.C. 4517) is amended by adding at the end the  
17       following:

18       “(c) HEALTH EMERGENCY AUTHORITY.—With re-  
19   spect to a public health emergency declaration by the Sec-  
20   retary of Health and Human Services under section 319  
21   of the Public Health Service Act, or preparations for such  
22   a health emergency, the Secretary of Health and Human  
23   Services and the Administrator of the Federal Emergency  
24   Management Agency are authorized to carry out the au-



1 thorities provided under this section to the same extent  
2 as the President.”.

3 (2) EMPHASIS ON BUSINESS CONCERNS OWNED  
4 BY WOMEN, MINORITIES, VETERANS, AND NATIVE  
5 AMERICANS.—Section 108 of the Defense Produc-  
6 tion Act of 1950 (50 U.S.C. 4518) is amended—

7 (A) in the heading, by striking “**MOD-**  
8 **ERNIZATION OF SMALL BUSINESS SUP-**  
9 **PLIERS**” and inserting “**SMALL BUSINESS**  
10 **PARTICIPATION AND FAIR INCLUSION**”;

11 (B) by amending subsection (a) to read as  
12 follows:

13 “(a) PARTICIPATION AND INCLUSION.—

14 “(1) IN GENERAL.—In providing any assistance  
15 under this Act, the President shall accord a strong  
16 preference for subcontractors and suppliers that  
17 are—

18 “(A) small business concerns; or

19 “(B) businesses of any size owned by  
20 women, minorities, veterans, and the disabled.

21 “(2) SPECIAL CONSIDERATION.—To the max-  
22 imum extent practicable, the President shall accord  
23 the preference described under paragraph (1) to  
24 small business concerns and businesses described in  
25 paragraph (1)(B) that are located in areas of high

1 unemployment or areas that have demonstrated a  
2 continuing pattern of economic decline, as identified  
3 by the Secretary of Labor.”; and

4 (C) by adding at the end the following:

5 “(c) MINORITY DEFINED.—In this section, the term  
6 ‘minority’—

7 “(1) has the meaning given the term in section  
8 308(b) of the Financial Institutions Reform, Recov-  
9 ery, and Enforcement Act of 1989; and

10 “(2) includes any indigenous person in the  
11 United States, including any territories of the  
12 United States.”.

13 (3) ADDITIONAL INFORMATION IN ANNUAL RE-  
14 PORT.—Section 304(f)(3) of the Defense Production  
15 Act of 1950 (50 U.S.C. 4534(f)(3)) is amended by  
16 striking “year.” and inserting “year, including the  
17 percentage of contracts awarded using Fund  
18 amounts to each of the groups described in section  
19 108(a)(1)(B) (and, with respect to minorities,  
20 disaggregated by ethnic group), and the percentage  
21 of the total amount expended during such fiscal year  
22 on such contracts.”.

23 (4) DEFINITION OF NATIONAL DEFENSE.—Sec-  
24 tion 702(14) of the Defense Production Act of 1950  
25 is amended by striking “and critical infrastructure

1 protection and restoration” and inserting “, critical  
2 infrastructure protection and restoration, and health  
3 emergency preparedness and response activities”.

4 (f) SECURING ESSENTIAL MEDICAL MATERIALS.—

5 (1) STATEMENT OF POLICY.—Section 2(b) of  
6 the Defense Production Act of 1950 (50 U.S.C.  
7 4502) is amended—

8 (A) by redesignating paragraphs (3)  
9 through (8) as paragraphs (4) through (9), re-  
10 spectively; and

11 (B) by inserting after paragraph (2) the  
12 following:

13 “(3) authorities under this Act should be used  
14 when appropriate to ensure the availability of med-  
15 ical materials essential to national defense, including  
16 through measures designed to secure the drug sup-  
17 ply chain, and taking into consideration the impor-  
18 tance of United States competitiveness, scientific  
19 leadership and cooperation, and innovative capac-  
20 ity;”.

21 (2) STRENGTHENING DOMESTIC CAPABILITY.—

22 Section 107 of the Defense Production Act of 1950  
23 (50 U.S.C. 4517) is amended—

1 (A) in subsection (a), by inserting “(in-  
2 cluding medical materials)” after “materials”;  
3 and

4 (B) in subsection (b)(1), by inserting “(in-  
5 cluding medical materials such as drugs to di-  
6 agnose, cure, mitigate, treat, or prevent disease  
7 that essential to national defense)” after “es-  
8 sential materials”.

9 (3) STRATEGY ON SECURING SUPPLY CHAINS  
10 FOR MEDICAL ARTICLES.—Title I of the Defense  
11 Production Act of 1950 (50 U.S.C. 4511 et seq.) is  
12 amended by adding at the end the following:

13 **“SEC. 109. STRATEGY ON SECURING SUPPLY CHAINS FOR**  
14 **MEDICAL MATERIALS.**

15 “(a) IN GENERAL.—Not later than 180 days after  
16 the date of the enactment of this section, the President,  
17 in consultation with the Secretary of Health and Human  
18 Services, the Secretary of Commerce, the Secretary of  
19 Homeland Security, and the Secretary of Defense, shall  
20 transmit a strategy to the appropriate Members of Con-  
21 gress that includes the following:

22 “(1) A detailed plan to use the authorities  
23 under this title and title III, or any other provision  
24 of law, to ensure the supply of medical materials (in-  
25 cluding drugs to diagnose, cure, mitigate, treat, or

1 prevent disease) essential to national defense, to the  
2 extent necessary for the purposes of this Act.

3 “(2) An analysis of vulnerabilities to existing  
4 supply chains for such medical articles, and rec-  
5 ommendations to address the vulnerabilities.

6 “(3) Measures to be undertaken by the Presi-  
7 dent to diversify such supply chains, as appropriate  
8 and as required for national defense; and

9 “(4) A discussion of—

10 “(A) any significant effects resulting from  
11 the plan and measures described in this sub-  
12 section on the production, cost, or distribution  
13 of vaccines or any other drugs (as defined  
14 under section 201 of the Federal Food, Drug,  
15 and Cosmetic Act (21 U.S.C. 321));

16 “(B) a timeline to ensure that essential  
17 components of the supply chain for medical ma-  
18 terials are not under the exclusive control of a  
19 foreign government in a manner that the Presi-  
20 dent determines could threaten the national de-  
21 fense of the United States; and

22 “(C) efforts to mitigate any risks resulting  
23 from the plan and measures described in this  
24 subsection to United States competitiveness,  
25 scientific leadership, and innovative capacity,

1 including efforts to cooperate and proactively  
2 engage with United States allies.

3 “(b) PROGRESS REPORT.—Following submission of  
4 the strategy under subsection (a), the President shall sub-  
5 mit to the appropriate Members of Congress an annual  
6 progress report evaluating the implementation of the  
7 strategy, and may include updates to the strategy as ap-  
8 propriate. The strategy and progress reports shall be sub-  
9 mitted in unclassified form but may contain a classified  
10 annex.

11 “(c) APPROPRIATE MEMBERS OF CONGRESS.—The  
12 term ‘appropriate Members of Congress’ means the  
13 Speaker, majority leader, and minority leader of the  
14 House of Representatives, the majority leader and minor-  
15 ity leader of the Senate, the Chairman and Ranking Mem-  
16 ber of the Committees on Armed Services and Financial  
17 Services of the House of Representatives, and the Chair-  
18 man and Ranking Member of the Committees on Armed  
19 Services and Banking, Housing, and Urban Affairs of the  
20 Senate.”.

21 (g) GAO REPORT.—

22 (1) IN GENERAL.—Not later than 270 days  
23 after the date of the enactment of this Act, and an-  
24 nually thereafter, the Comptroller General of the  
25 United States shall submit to the appropriate con-

1 gressional committees a report on ensuring that the  
2 United States Government has access to the medical  
3 supplies and equipment necessary to respond to fu-  
4 ture pandemics and public health emergencies, in-  
5 cluding recommendations with respect to how to en-  
6 sure that the United States supply chain for diag-  
7 nostic tests (including serological tests), personal  
8 protective equipment, vaccines, and therapies is bet-  
9 ter equipped to respond to emergencies, including  
10 through the use of funds in the Defense Production  
11 Act Fund under section 304 of the Defense Produc-  
12 tion Act of 1950 (50 U.S.C. 4534) to address short-  
13 ages in that supply chain.

14 (2) REVIEW OF ASSESSMENT AND PLAN.—

15 (A) IN GENERAL.—Not later than 30 days  
16 after each of the submission of the reports de-  
17 scribed in paragraphs (1) and (2) of subsection  
18 (d), the Comptroller General of the United  
19 States shall submit to the appropriate congres-  
20 sional committees an assessment of such re-  
21 ports, including identifying any gaps and pro-  
22 viding any recommendations regarding the sub-  
23 ject matter in such reports.

24 (B) MONTHLY REVIEW.—Not later than a  
25 month after the submission of the assessment

1 under subparagraph (A), and monthly there-  
2 after, the Comptroller General shall issue a re-  
3 port to the appropriate congressional commit-  
4 tees with respect to any updates to the reports  
5 described in paragraph (1) and (2) of sub-  
6 section (d) that were issued during the previous  
7 1-month period, containing an assessment of  
8 such updates, including identifying any gaps  
9 and providing any recommendations regarding  
10 the subject matter in such updates.

11 (h) DEFINITIONS.—In this section:

12 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
13 TEES.—The term “appropriate congressional com-  
14 mittees” means the Committees on Appropriations,  
15 Armed Services, Energy and Commerce, Financial  
16 Services, Homeland Security, and Veterans’ Affairs  
17 of the House of Representatives and the Committees  
18 on Appropriations, Armed Services, Banking, Hous-  
19 ing, and Urban Affairs, Health, Education, Labor,  
20 and Pensions, Homeland Security and Governmental  
21 Affairs, and Veterans’ Affairs of the Senate.

22 (2) COVID–19 EMERGENCY PERIOD.—The  
23 term “COVID–19 emergency period” means the pe-  
24 riod beginning on the date of enactment of this Act  
25 and ending after the end of the incident period for



1 the emergency declared on March 13, 2020, by the  
2 President under Section 501 of the Robert T. Staf-  
3 ford Disaster Relief and Emergency Assistance Act  
4 (42 U.S.C. 4121 et seq.) relating to the Coronavirus  
5 Disease 2019 (COVID–19) pandemic.

6 (3) RELEVANT STAKEHOLDER.—The term “rel-  
7 evant stakeholder” means—

8 (A) representative private sector entities;

9 (B) representatives of the nonprofit sector;

10 and

11 (C) representatives of labor organizations  
12 representing workers, including unions that rep-  
13 resent health workers, manufacturers, public  
14 sector employees, and service sector workers.

15 (4) STATE.—The term “State” means each of  
16 the several States, the District of Columbia, the  
17 Commonwealth of Puerto Rico, and any territory or  
18 possession of the United States.

19 TITLE II—PROTECTING RENTERS AND HOME-  
20 OWNERS FROM EVICTIONS AND FORE-  
21 CLOSURES

22 **SEC. 110201. EMERGENCY RENTAL ASSISTANCE.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated to the Secretary of Housing  
25 and Urban Development (referred to in this section as the

1 “Secretary”) \$100,000,000,000 for an additional amount  
2 for grants under the Emergency Solutions Grants pro-  
3 gram under subtitle B of title IV of the McKinney-Vento  
4 Homeless Assistance Act (42 U.S.C. 11371 et seq.), to  
5 remain available until expended (subject to subsections (d)  
6 and (n) of this section), to be used for providing short-  
7 or medium-term assistance with rent and rent-related  
8 costs (including tenant-paid utility costs, utility- and rent-  
9 arrears, fees charged for those arrears, and security and  
10 utility deposits) in accordance with paragraphs (4) and (5)  
11 of section 415(a) of such Act (42 U.S.C. 11374(a)) and  
12 this section.

13 (b) DEFINITION OF AT RISK OF HOMELESSNESS.—  
14 Notwithstanding section 401(1) of the McKinney-Vento  
15 Homeless Assistance Act (42 U.S.C. 11360(1)), for pur-  
16 poses of assistance made available with amounts made  
17 available pursuant to subsection (a), the term “at risk of  
18 homelessness” means, with respect to an individual or  
19 family, that the individual or family—

20 (1) has an income below 80 percent of the me-  
21 dian income for the area as determined by the Sec-  
22 retary; and

23 (2) has an inability to attain or maintain hous-  
24 ing stability or has insufficient resources to pay for  
25 rent or utilities due to financial hardships.

1 (c) INCOME TARGETING AND CALCULATION.—For  
2 purposes of assistance made available with amounts made  
3 available pursuant to subsection (a)—

4 (1) each recipient of such amounts shall use—

5 (A) not less than 40 percent of the  
6 amounts received only for providing assistance  
7 for individuals or families experiencing home-  
8 lessness, or for persons or families at risk of  
9 homelessness who have incomes not exceeding  
10 30 percent of the median income for the area  
11 as determined by the Secretary;

12 (B) not less than 70 percent of the  
13 amounts received only for providing assistance  
14 for individuals or families experiencing home-  
15 lessness, or for persons or families at risk of  
16 homelessness who have incomes not exceeding  
17 50 percent of the median income for the area  
18 as determined by the Secretary; and

19 (C) the remainder of the amounts received  
20 only for providing assistance to individuals or  
21 families experiencing homelessness, or for per-  
22 sons or families at risk of homelessness who  
23 have incomes not exceeding 80 percent of the  
24 median income for the area as determined by  
25 the Secretary, but such recipient may establish

1 a higher percentage limit for purposes of sub-  
2 section (b)(1), which shall not in any case ex-  
3 ceed 120 percent of the area median income, if  
4 the recipient states that it will serve such popu-  
5 lation in its plan; and

6 (2) in determining the income of a household  
7 for homelessness prevention assistance—

8 (A) the calculation of income performed at  
9 the time of application for such assistance, in-  
10 cluding arrearages, shall consider only income  
11 that the household is currently receiving at such  
12 time and any income recently terminated shall  
13 not be included;

14 (B) any calculation of income performed  
15 with respect to households receiving ongoing as-  
16 sistance (such as medium-term rental assist-  
17 ance) 3 months after initial receipt of assist-  
18 ance shall consider only the income that the  
19 household is receiving at the time of such re-  
20 view; and

21 (C) the calculation of income performed  
22 with respect to households receiving assistance  
23 for arrearages shall consider only the income  
24 that the household was receiving at the time  
25 such arrearages were incurred.

1 (d) 3-YEAR AVAILABILITY.—

2 (1) IN GENERAL.—Each recipient of amounts  
3 made available pursuant to subsection (a) shall—

4 (A) expend not less than 60 percent of  
5 such grant amounts within 2 years of the date  
6 that such funds became available to the recipi-  
7 ent for obligation; and

8 (B) expend 100 percent of such grant  
9 amounts within 3 years of such date.

10 (2) REALLOCATION AFTER 2 YEARS.—The Sec-  
11 retary may recapture any amounts not expended in  
12 compliance with paragraph (1)(A) and reallocate  
13 such amounts to recipients in compliance with the  
14 formula referred to in subsection (h)(1)(A).

15 (e) RENT RESTRICTIONS.—

16 (1) INAPPLICABILITY.—Section 576.106(d) of  
17 title 24, Code of Federal Regulations, shall not  
18 apply with respect to homelessness prevention assist-  
19 ance made available with amounts made available  
20 under subsection (a).

21 (2) AMOUNT OF RENTAL ASSISTANCE.—In pro-  
22 viding homelessness prevention assistance with  
23 amounts made available under subsection (a), the  
24 maximum amount of rental assistance that may be  
25 provided shall be the greater of—

1 (A) 120 percent of the higher of—

2 (i) the Fair Market Rent established  
3 by the Secretary for the metropolitan area  
4 or county; or

5 (ii) the applicable Small Area Fair  
6 Market Rent established by the Secretary;  
7 or

8 (B) such higher amount as the Secretary  
9 shall determine is needed to cover market rents  
10 in the area.

11 (f) SUBLEASES.—A recipient shall not be prohibited  
12 from providing assistance authorized under subsection (a)  
13 with respect to subleases that are valid under State law.

14 (g) HOUSING RELOCATION OR STABILIZATION AC-  
15 TIVITIES.—A recipient of amounts made available pursu-  
16 ant to subsection (a) may expend up to 25 percent of its  
17 allocation for activities under section 415(a)(5) of the  
18 McKinney-Vento Homeless Assistance Act (42 U.S.C.  
19 11374(a)(5)), except that notwithstanding such section,  
20 activities authorized under this subsection may be pro-  
21 vided only for individuals or families who have incomes  
22 not exceeding 50 percent of the area median income and  
23 meet the criteria in subsection (b)(2) of this section or  
24 section 103 of the McKinney-Vento Homeless Assistance  
25 Act (42 U.S.C. 11302). This subsection shall not apply

1 to rent-related costs that are specifically authorized under  
2 subsection (a) of this section.

3 (h) ALLOCATION OF ASSISTANCE.—

4 (1) IN GENERAL.—In allocating amounts made  
5 available pursuant to subsection (a), the Secretary  
6 shall—

7 (A)(i) for any purpose authorized in this  
8 section—

9 (I) allocate 2 percent of such amount  
10 for Indian tribes and tribally designated  
11 housing entities (as such terms are defined  
12 in section 4 of the Native American Hous-  
13 ing Assistance and Self-Determination Act  
14 of 1996 (25 U.S.C. 4103)) under the for-  
15 mula established pursuant to section 302  
16 of such Act (25 U.S.C. 4152), except that  
17 0.3 percent of the amount allocated under  
18 this clause shall be allocated for the De-  
19 partment of Hawaiian Home Lands; and

20 (II) allocate 0.3 percent of such  
21 amount for the Virgin Islands, Guam,  
22 American Samoa, and the Northern Mar-  
23 iana Islands;

24 (ii) not later than 30 days after the date  
25 of enactment of this Act, obligate and disburse

1 the amounts allocated pursuant to clause (i) in  
2 accordance with such allocations and provide  
3 such recipient with any necessary guidance for  
4 use of the funds; and

5 (B)(i) not later than 7 days after the date  
6 of enactment of this Act and after setting aside  
7 amounts under subparagraph (A), allocate 50  
8 percent of any such remaining amounts under  
9 the formula specified in subsections (a), (b),  
10 and (e) of section 414 of the McKinney-Vento  
11 Homeless Assistance Act (42 U.S.C. 11373)  
12 for, and notify, each State, metropolitan city,  
13 and urban county that is to receive a direct  
14 grant of such amounts; and

15 (ii) not later than 30 days after the date  
16 of enactment of this Act, obligate and disburse  
17 the amounts allocated pursuant to clause (i) in  
18 accordance with such allocations and provide  
19 such recipient with any necessary guidance for  
20 use of the funds; and

21 (C)(i) not later than 45 days after the date  
22 of enactment of this Act, allocate any remaining  
23 amounts for eligible recipients according to a  
24 formula to be developed by the Secretary that  
25 takes into consideration the formula referred to



1 in subparagraph (A) and the need for emer-  
2 gency rental assistance under this section, in-  
3 cluding the severe housing cost burden among  
4 extremely low- and very low-income renters and  
5 disruptions in housing and economic conditions,  
6 including unemployment; and

7 (ii) not later than 30 days after the date  
8 of the allocation of such amounts pursuant to  
9 clause (i), obligate and disburse such amounts  
10 in accordance with such allocations.

11 (2) ALLOCATIONS TO STATES.—

12 (A) IN GENERAL.—Notwithstanding sub-  
13 section (a) of section 414 of the McKinney-  
14 Vento Homeless Assistance Act (42 U.S.C.  
15 11373(a)) and section 576.202(a) of title 24,  
16 Code of Federal Regulations, a State recipient  
17 of an allocation under this section may elect to  
18 use up to 100 percent of its allocation to carry  
19 out activities eligible under this section directly.

20 (B) REQUIREMENT.—Any State recipient  
21 making an election described in subparagraph  
22 (A) shall serve households throughout the entire  
23 State, including households in rural commu-  
24 nities and small towns.

1           (3) ELECTION NOT TO ADMINISTER.—If a re-  
2       recipient other than a State elects not to receive funds  
3       under this section, such funds shall be allocated to  
4       the State recipient in which the recipient is located.

5           (4) PARTNERSHIPS, SUBGRANTS, AND CON-  
6       TRACTS.—A recipient of a grant under this section  
7       may distribute funds through partnerships, sub-  
8       grants, or contracts with an entity, such as a public  
9       housing agency (as such term is defined in section  
10      3(b) of the United States Housing Act of 1937 (42  
11      U.S.C. 1437a(b))), that is capable of carrying activi-  
12      ties under this section.

13          (5) REVISION TO RULE.—The Secretary shall  
14      revise section 576.3 of title 24, Code of Federal Reg-  
15      ulations, to change the set aside for allocation to the  
16      territories to exactly 0.3 percent.

17          (i) INAPPLICABILITY OF MATCHING REQUIRE-  
18      MENT.—Subsection (a) of section 416 of the McKinney-  
19      Vento Homeless Assistance Act (42 U.S.C. 11375(a))  
20      shall not apply to any amounts made available pursuant  
21      to subsection (a) of this section.

22          (j) REIMBURSEMENT OF ELIGIBLE ACTIVITIES.—  
23      Amounts made available pursuant to subsection (a) may  
24      be used by a recipient to reimburse expenditures incurred

1 for eligible activities under this section after March 27,  
2 2020.

3 (k) PROHIBITION ON PREREQUISITES.—None of the  
4 funds made available pursuant to this section may be used  
5 to require any individual receiving assistance under the  
6 program under this section to receive treatment or per-  
7 form any other prerequisite activities as a condition for  
8 receiving shelter, housing, or other services.

9 (l) WAIVERS AND ALTERNATIVE REQUIREMENTS.—

10 (1) IN GENERAL.—

11 (A) AUTHORITY.—In administering the  
12 amounts made available pursuant to subsection  
13 (a), the Secretary may waive, or specify alter-  
14 native requirements for, any provision of any  
15 statute or regulation that the Secretary admin-  
16 isters in connection with the obligation by the  
17 Secretary or the use by the recipient of such  
18 amounts (except for requirements related to fair  
19 housing, nondiscrimination, labor standards,  
20 prohibition on prerequisites, minimum data re-  
21 porting, and the environment), if the Secretary  
22 finds that good cause exists for the waiver or  
23 alternative requirement and such waiver or al-  
24 ternative requirement is necessary to expedite  
25 the use of funds made available pursuant to

1           this section, to respond to public health orders  
2           or conditions related to the COVID-19 emer-  
3           gency, or to ensure that eligible individuals can  
4           attain or maintain housing stability.

5           (B) PUBLIC NOTICE.—The Secretary shall  
6           notify the public through the Federal Register  
7           or other appropriate means of any waiver or al-  
8           ternative requirement under this paragraph,  
9           and that such public notice shall be provided, at  
10          a minimum, on the internet at the appropriate  
11          Government website or through other electronic  
12          media, as determined by the Secretary.

13          (C) ELIGIBILITY REQUIREMENTS.—Eligi-  
14          bility for rental assistance or housing relocation  
15          and stabilization services shall not be restricted  
16          based upon the prior receipt of assistance under  
17          the program during the preceding three years.

18          (2) PUBLIC HEARINGS.—

19                 (A) INAPPLICABILITY OF IN-PERSON HEAR-  
20                 ING REQUIREMENTS DURING THE COVID-19  
21                 EMERGENCY.—

22                         (i) IN GENERAL.—A recipient under  
23                         this section shall not be required to hold  
24                         in-person public hearings in connection  
25                         with its citizen participation plan, but shall

1 provide citizens with notice, including pub-  
2 lication of its plan for carrying out this  
3 section on the internet, and a reasonable  
4 opportunity to comment of not less than 5  
5 days.

6 (ii) RESUMPTION OF IN-PERSON  
7 HEARING REQUIREMENTS.—After the pe-  
8 riod beginning on the date of enactment of  
9 this Act and ending on the date of the ter-  
10 mination by the Federal Emergency Man-  
11 agement Agency of the emergency declared  
12 on March 13, 2020, by the President  
13 under the Robert T. Stafford Disaster Re-  
14 lief and Emergency Assistance Act (42  
15 U.S.C. 4121 et seq.) relating to the  
16 Coronavirus Disease 2019 (COVID-19)  
17 pandemic, and after the period described  
18 in subparagraph (B), the Secretary shall  
19 direct recipients under this section to re-  
20 sume pre-crisis public hearing require-  
21 ments.

22 (B) VIRTUAL PUBLIC HEARINGS.—

23 (i) IN GENERAL.—During the period  
24 that national or local health authorities  
25 recommend social distancing and limiting

1 public gatherings for public health reasons,  
2 a recipient may fulfill applicable public  
3 hearing requirements for all grants from  
4 funds made available pursuant to this sec-  
5 tion by carrying out virtual public hear-  
6 ings.

7 (ii) REQUIREMENTS.—Any virtual  
8 hearings held under clause (i) by a recipi-  
9 ent under this section shall provide reason-  
10 able notification and access for citizens in  
11 accordance with the recipient's certifi-  
12 cations, timely responses from local offi-  
13 cials to all citizen questions and issues,  
14 and public access to all questions and re-  
15 sponses.

16 (m) CONSULTATION.—In addition to any other citi-  
17 zen participation and consultation requirements, in devel-  
18 oping and implementing a plan to carry out this section,  
19 each recipient of funds made available pursuant to this  
20 section shall consult with the applicable Continuum or  
21 Continuums of Care for the area served by the recipient  
22 and organizations representing underserved communities  
23 and populations and organizations with expertise in af-  
24 fordable housing, fair housing, and services for people with  
25 disabilities.

1 (n) ADMINISTRATION.—

2 (1) BY SECRETARY.—Of any amounts made  
3 available pursuant to subsection (a)—

4 (A) not more than the lesser of 0.5 per-  
5 cent, or \$15,000,000, may be used by the Sec-  
6 retary for staffing, training, technical assist-  
7 ance, technology, monitoring, research, and  
8 evaluation activities necessary to carry out the  
9 program carried out under this section, and  
10 such amounts shall remain available until Sep-  
11 tember 30, 2024; and

12 (B) not more than \$2,000,000 shall be  
13 available to the Office of the Inspector General  
14 for audits and investigations of the program au-  
15 thorized under this section.

16 (2) BY RECIPIENTS.—Notwithstanding section  
17 576.108 of title 24 of the Code of Federal Regula-  
18 tions, with respect to amounts made available pursu-  
19 ant to this section, a recipient may use up to 10 per-  
20 cent of the recipient's grant for payment of adminis-  
21 trative costs related to the planning and execution of  
22 activities.

23 **SEC. 110202. HOMEOWNER ASSISTANCE FUND.**

24 (a) DEFINITIONS.—In this section:

1 (1) FUND.—The term “Fund” means the  
2 Homeowner Assistance Fund established under sub-  
3 section (b).

4 (2) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Treasury.

6 (3) STATE.—The term “State” means any  
7 State of the United States, the District of Columbia,  
8 any territory of the United States, Puerto Rico,  
9 Guam, American Samoa, the Virgin Islands, and the  
10 Northern Mariana Islands.

11 (b) ESTABLISHMENT OF FUND.—There is estab-  
12 lished at the Department of the Treasury a Homeowner  
13 Assistance Fund to provide such funds as are made avail-  
14 able under subsection (g) to State housing finance agen-  
15 cies for the purpose of preventing homeowner mortgage  
16 defaults, foreclosures, and displacements of individuals  
17 and families experiencing financial hardship after January  
18 21, 2020.

19 (c) ALLOCATION OF FUNDS.—

20 (1) ADMINISTRATION.—Of any amounts made  
21 available for the Fund, the Secretary of the Treas-  
22 ury may allocate, in the aggregate, an amount not  
23 exceeding 5 percent—

24 (A) to the Office of Financial Stability es-  
25 tablished under section 101(a) of the Emer-



1           agency Economic Stabilization Act of 2008 (12  
2           U.S.C. 5211(a)) to administer and oversee the  
3           Fund, and to provide technical assistance to  
4           States for the creation and implementation of  
5           State programs to administer assistance from  
6           the Fund; and

7                   (B) to the Inspector General of the De-  
8           partment of the Treasury for oversight of the  
9           program under this section.

10           (2) FOR STATES.—The Secretary shall establish  
11           such criteria as are necessary to allocate the funds  
12           available within the Fund for each State. The Sec-  
13           retary shall allocate such funds among all States  
14           taking into consideration the number of unemploy-  
15           ment claims within a State relative to the nationwide  
16           number of unemployment claims.

17           (3) SMALL STATE MINIMUM.—The amount allo-  
18           cated for each State shall not be less than  
19           \$250,000,000.

20           (4) SET-ASIDE FOR INSULAR AREAS.—Notwith-  
21           standing any other provision of this section, of the  
22           amounts appropriated under subsection (g), the Sec-  
23           retary shall reserve \$200,000,000 to be disbursed to  
24           Guam, American Samoa, the Virgin Islands, and the  
25           Northern Mariana Islands based on each such terri-

1 tory's share of the combined total population of all  
2 such territories, as determined by the Secretary. For  
3 the purposes of this paragraph, population shall be  
4 determined based on the most recent year for which  
5 data are available from the United States Census  
6 Bureau.

7 (5) SET-ASIDE FOR INDIAN TRIBES AND NATIVE  
8 HAWAIIANS.—

9 (A) INDIAN TRIBES.—Notwithstanding any  
10 other provision of this section, of the amounts  
11 appropriated under subsection (g), the Sec-  
12 retary shall use 5 percent to make grants in ac-  
13 cordance with subsection (f) to eligible recipi-  
14 ents for the purposes described in subsection  
15 (e)(1).

16 (B) NATIVE HAWAIIANS.— Of the funds  
17 set aside under subparagraph (A), the Sec-  
18 retary shall use 0.3 percent to make grants to  
19 the Department of Hawaiian Home Lands in  
20 accordance with subsection (f) for the purposes  
21 described in subsection (e)(1).

22 (d) DISBURSEMENT OF FUNDS.—

23 (1) ADMINISTRATION.—Except for amounts  
24 made available for assistance under subsection (f),  
25 State housing finance agencies shall be primarily re-

1       sponsible for administering amounts disbursed from  
2       the Fund, but may delegate responsibilities and sub-  
3       allocate amounts to community development finan-  
4       cial institutions and State agencies that administer  
5       Low-Income Home Energy Assistance Program of  
6       the Department of Health and Human Services.

7           (2) NOTICE OF FUNDING.—The Secretary shall  
8       provide public notice of the amounts that will be  
9       made available to each State and the method used  
10      for determining such amounts not later than the ex-  
11      piration of the 14-day period beginning on the date  
12      of the enactment of this Act of enactment.

13           (3) SHFA PLANS.—

14           (A) ELIGIBILITY.—To be eligible to receive  
15      funding allocated for a State under the section,  
16      a State housing finance agency for the State  
17      shall submit to the Secretary a plan for the im-  
18      plementation of State programs to administer,  
19      in part or in full, the amount of funding the  
20      state is eligible to receive, which shall provide  
21      for the commencement of receipt of applications  
22      by homeowners for assistance, and funding of  
23      such applications, not later than the expiration  
24      of the 6-month period beginning upon the ap-  
25      proval under this paragraph of such plan.

1 (B) MULTIPLE PLANS.— A State housing  
2 finance agency may submit multiple plans, each  
3 covering a separate portion of funding for  
4 which the State is eligible.

5 (C) TIMING.— The Secretary shall approve  
6 or disapprove a plan within 30 days after the  
7 plan's submission and, if disapproved, explain  
8 why the plan could not be approved.

9 (D) DISBURSEMENT UPON APPROVAL.—  
10 The Secretary shall disburse to a State housing  
11 finance agency the appropriate amount of fund-  
12 ing upon approval of the agency's plan.

13 (E) AMENDMENTS.—A State housing fi-  
14 nance agency may subsequently amend a plan  
15 that has previously been approved, provided  
16 that any plan amendment shall be subject to  
17 the approval of the Secretary. The Secretary  
18 shall approve any plan amendment or dis-  
19 approve such amendment explain why the plan  
20 amendment could not be approved within 45  
21 days after submission to the Secretary of such  
22 amendment.

23 (F) TECHNICAL ASSISTANCE.—The Sec-  
24 retary shall provide technical assistance for any

1 State housing finance agency that twice fails to  
2 have a submitted plan approved.

3 (4) PLAN TEMPLATES.—The Secretary shall,  
4 not later than 30 days after the date of the enact-  
5 ment of this Act, publish templates that States may  
6 utilize in drafting the plans required under para-  
7 graph (3)(A). The template plans shall include  
8 standard program terms and requirements, as well  
9 as any required legal language, which State housing  
10 finance agencies may modify with the consent of the  
11 Secretary.

12 (e) PERMISSIBLE USES OF FUND.—

13 (1) IN GENERAL.—Funds made available to  
14 State housing finance agencies pursuant to this sec-  
15 tion may be used for the purposes established under  
16 subsection (b), which may include—

17 (A) mortgage payment assistance, includ-  
18 ing financial assistance to allow a borrower to  
19 reinstate their mortgage or to achieve a more  
20 affordable mortgage payment, which may in-  
21 clude principal reduction or rate reduction, pro-  
22 vided that any mortgage payment assistance is  
23 tailored to a borrower's needs and their ability  
24 to repay, and takes into consideration the loss  
25 mitigation options available to the borrower;

1 (B) assistance with payment of taxes, haz-  
2 ard insurance, flood insurance, mortgage insur-  
3 ance, or homeowners' association fees;

4 (C) utility payment assistance, including  
5 electric, gas, water, and internet service, includ-  
6 ing broadband internet access service (as such  
7 term is defined in section 8.1(b) of title 47,  
8 Code of Federal Regulations (or any successor  
9 regulation));

10 (D) reimbursement of funds expended by a  
11 State or local government during the period be-  
12 ginning on January 21, 2020, and ending on  
13 the date that the first funds are disbursed by  
14 the State under the Fund, for the purpose of  
15 providing housing or utility assistance to indi-  
16 viduals or otherwise providing funds to prevent  
17 foreclosure or eviction of a homeowner or pre-  
18 vent mortgage delinquency or loss of housing or  
19 critical utilities as a response to the coronavirus  
20 disease 2019 (COVID-19) pandemic; and

21 (E) any other assistance for homeowners  
22 to prevent eviction, mortgage delinquency or de-  
23 fault, foreclosure, or the loss of essential utility  
24 services.

25 (2) TARGETING.—

1 (A) REQUIREMENT.—Not less than 60 per-  
2 cent of amounts made available for each State  
3 or other entity allocated amounts under sub-  
4 section (c) shall be used for activities under  
5 paragraph (1) that assist homeowners having  
6 incomes equal to or less than 80 percent of the  
7 area median income.

8 (B) DETERMINATION OF INCOME.— In de-  
9 termining the income of a household for pur-  
10 poses of this paragraph, income shall be consid-  
11 ered to include only income that the household  
12 is receiving at the time of application for assist-  
13 ance from the Fund and any income recently  
14 terminated shall not be included, except that for  
15 purposes of households receiving assistance for  
16 arrearages income shall include only the income  
17 that the household was receiving at the time  
18 such arrearages were incurred.

19 (C) LANGUAGE ASSISTANCE.—Each State  
20 housing finance agency or other entity allocated  
21 amounts under subsection (c) shall make avail-  
22 able to each applicant for assistance from  
23 amounts from the Fund language assistance in  
24 any language that such language assistance is  
25 available in and shall provide notice to each

1           such applicant that such language assistance is  
2           available.

3           (3) ADMINISTRATIVE EXPENSES.—Not more  
4           than 15 percent of the amount allocated to a State  
5           pursuant to subsection (c) may be used by a State  
6           housing financing agency for administrative ex-  
7           penses. Any amounts allocated to administrative ex-  
8           penses that are no longer necessary for administra-  
9           tive expenses may be used in accordance with para-  
10          graph (1).

11          (f) TRIBAL AND NATIVE HAWAIIAN ASSISTANCE.—

12           (1) DEFINITIONS.—In this subsection:

13           (A) DEPARTMENT OF HAWAIIAN HOME  
14           LANDS.—The term “Department of Hawaiian  
15           Home Lands” has the meaning given the term  
16           in section 801 of the Native American Housing  
17           Assistance and Self-Determination Act of 1996  
18           (42 U.S.C. 4221).

19           (B) ELIGIBLE RECIPIENT.—The term “eli-  
20           gible recipient” means any entity eligible to re-  
21           ceive a grant under section 101 of the Native  
22           American Housing Assistance and Self-Deter-  
23           mination Act of 1996 (25 U.S.C. 4111).

24           (2) REQUIREMENTS.—



1 (A) ALLOCATION.—Except for the funds  
2 set aside under subsection (c)(5)(B), the Sec-  
3 retary shall allocate the funds set aside under  
4 subsection (c)(5)(A) using the allocation for-  
5 mula described in subpart D of part 1000 of  
6 title 24, Code of Federal Regulations (or any  
7 successor regulations).

8 (B) NATIVE HAWAIIANS.—The Secretary  
9 shall use the funds made available under sub-  
10 section (c)(5)(B) in accordance with part 1006  
11 of title 24, Code of Federal Regulations (or suc-  
12 cessor regulations).

13 (3) TRANSFER.—The Secretary shall transfer  
14 any funds made available under subsection (c)(5)  
15 that have not been allocated by an eligible recipient  
16 or the Department of Hawaiian Home Lands, as ap-  
17 plicable, to provide the assistance described in sub-  
18 section (e)(1) by December 31, 2030, to the Sec-  
19 retary of Housing and Urban Development to carry  
20 out the Native American Housing Assistance and  
21 Self-Determination Act of 1996 (25 U.S.C. 4101 et  
22 seq.).

23 (g) FUNDING.—There is appropriated, out of any  
24 funds in the Treasury not otherwise appropriated, to the  
25 Homeowner Assistance Fund established under subsection

1 (b), \$75,000,000,000, to remain available until expended  
2 or transferred or credited under subsection (i).

3 (h) USE OF HOUSING FINANCE AGENCY INNOVATION  
4 FUND FOR THE HARDEST HIT HOUSING MARKETS  
5 FUNDS.—A State housing finance agency may reallocate  
6 any administrative or programmatic funds it has received  
7 as an allocation from the Housing Finance Agency Inno-  
8 vation Fund for the Hardest Hit Housing Markets created  
9 pursuant to section 101(a) of the Emergency Economic  
10 Stabilization Act of 2008 (12 U.S.C. 5211(a)) that have  
11 not been otherwise allocated or disbursed as of the date  
12 of enactment of this Act to supplement any administrative  
13 or programmatic funds received from the Housing Assist-  
14 ance Fund. Such reallocated funds shall not be considered  
15 when allocating resources from the Housing Assistance  
16 Fund using the process established under subsection (c)  
17 and shall remain available for the uses permitted and  
18 under the terms and conditions established by the contract  
19 with Secretary created pursuant to subsection (d)(1) and  
20 the terms of subsection (i).

21 (i) REPORTING REQUIREMENTS.—The Secretary  
22 shall provide public reports not less frequently than quar-  
23 terly regarding the use of funds provided by the Home-  
24 owner Assistance Fund. Such reports shall include the fol-  
25 lowing data by State and by program within each State,

1 both for the past quarter and throughout the life of the  
2 program—

3 (1) the amount of funds allocated;

4 (2) the amount of funds disbursed;

5 (3) the number of households and individuals  
6 assisted;

7 (4) the acceptance rate of applicants;

8 (5) the type or types of assistance provided to  
9 each household;

10 (6) whether the household assisted had a feder-  
11 ally backed loan and identification of the Federal en-  
12 tity backing such loan;

13 (7) the average amount of funding provided per  
14 household receiving assistance and per type of as-  
15 sistance provided;

16 (8) the average number of monthly payments  
17 that were covered by the funding amount that a  
18 household received, as applicable, disaggregated by  
19 type of assistance provided;

20 (9) the income level of each household receiving  
21 assistance; and

22 (10) the outcome 12 months after the house-  
23 hold has received assistance.

24 Each report under this subsection shall disaggregate the  
25 information provided under paragraphs (3) through (10)

1 by State, zip code, racial and ethnic composition of the  
2 household, and whether or not the person from the house-  
3 hold applying for assistance speaks English as a second  
4 language.

5 **SEC. 110203. PROTECTING RENTERS AND HOMEOWNERS**  
6 **FROM EVICTIONS AND FORECLOSURES.**

7 (a) EVICTION MORATORIUM.—The CARES Act is  
8 amended by striking section 4024 (15 U.S.C. 9058; Public  
9 Law 116-136; 134 Stat. 492) and inserting the following  
10 new section:

11 **“SEC. 4024. TEMPORARY MORATORIUM ON EVICTION FIL-**  
12 **INGS.**

13 “(a) CONGRESSIONAL FINDINGS.—The Congress  
14 finds that—

15 “(1) according to the 2018 American Commu-  
16 nity Survey, 36 percent of households in the United  
17 States—more than 43 million households—are rent-  
18 ers;

19 “(2) in 2019 alone, renters in the United States  
20 paid \$512 billion in rent;

21 “(3) according to the Joint Center for Housing  
22 Studies of Harvard University, 20.8 million renters  
23 in the United States spent more than 30 percent of  
24 their incomes on housing in 2018 and 10.9 million

1       renters spent more than 50 percent of their incomes  
2       on housing in the same year;

3           “(4) according to data from the Department of  
4       Labor, more than 30 million people have filed for  
5       unemployment since the COVID-19 pandemic began;

6           “(5) the impacts of the spread of COVID-19,  
7       which is now considered a global pandemic, are ex-  
8       pected to negatively impact the incomes of poten-  
9       tially millions of renter households, making it dif-  
10      ficult for them to pay their rent on time; and

11          “(6) evictions in the current environment would  
12      increase homelessness and housing instability which  
13      would be counterproductive towards the public  
14      health goals of keeping individuals in their homes to  
15      the greatest extent possible.

16          “(b) MORATORIUM.—During the period beginning on  
17      the date of the enactment of this Act and ending 12  
18      months after such date of enactment, the lessor of a cov-  
19      ered dwelling located in such State may not make, or  
20      cause to be made, any filing with the court of jurisdiction  
21      to initiate a legal action to recover possession of the cov-  
22      ered dwelling from the tenant for nonpayment of rent or  
23      other fees or charges.

24          “(c) DEFINITIONS.—For purposes of this section, the  
25      following definitions shall apply:

1           “(1) COVERED DWELLING.—The term ‘covered  
2       dwelling’ means a dwelling that is occupied by a ten-  
3       ant—

4           “(A) pursuant to a residential lease; or

5           “(B) without a lease or with a lease ter-  
6       minable at will under State law.

7           “(2) DWELLING.—The term ‘dwelling’ has the  
8       meaning given such term in section 802 of the Fair  
9       Housing Act (42 U.S.C. 3602) and includes houses  
10      and dwellings described in section 803(b) of such  
11      Act (42 U.S.C. 3603(b)).

12       “(d) NOTICE TO VACATE AFTER MORATORIUM EXPI-  
13      RATION DATE.—After the expiration of the period de-  
14      scribed in subsection (b), the lessor of a covered dwelling  
15      may not require the tenant to vacate the covered dwelling  
16      by reason of nonpayment of rent or other fees or charges  
17      before the expiration of the 30-day period that begins  
18      upon the provision by the lessor to the tenant, after the  
19      expiration of the period described in subsection (b), of a  
20      notice to vacate the covered dwelling.”.

21       (b) MORTGAGE RELIEF.—

22           (1) FORBEARANCE AND FORECLOSURE MORA-  
23      TORIUM FOR COVERED MORTGAGE LOANS.—Section  
24      4022 of the CARES Act (15 U.S.C. 9056) is  
25      amended—

1 (A) by striking “Federally backed mort-  
2 gage loan” each place such term appears and  
3 inserting “covered mortgage loan”; and

4 (B) in subsection (a)—

5 (i) by amending paragraph (2) to read  
6 as follows:

7 “(2) COVERED MORTGAGE LOAN.—The term  
8 ‘covered mortgage loan’ means any credit trans-  
9 action that is secured by a mortgage, deed of trust,  
10 or other equivalent consensual security interest on a  
11 1- to 4-unit dwelling or on residential real property  
12 that includes a 1- to 4-unit dwelling, except that it  
13 shall not include a credit transaction under an open  
14 end credit plan other than a reverse mortgage.”; and

15 (ii) by adding at the end the fol-  
16 lowing:

17 “(3) COVERED PERIOD.—With respect to a  
18 loan, the term ‘covered period’ means the period be-  
19 ginning on the date of enactment of this Act and  
20 ending 12 months after such date of enactment.”.

21 (2) AUTOMATIC FORBEARANCE FOR DELIN-  
22 QUENT BORROWERS.—Section 4022(c) of the  
23 CARES Act (15 U.S.C. 9056(c)), as amended by  
24 paragraph (5) of this subsection, is further amended  
25 by adding at the end the following:

1           “(9) AUTOMATIC FORBEARANCE FOR DELIN-  
2           QUENT BORROWERS.—

3           “(A) IN GENERAL.—Notwithstanding any  
4           other law governing forbearance relief—

5           “(i) any borrower whose covered mort-  
6           gage loan became 60 days delinquent be-  
7           tween March 13, 2020, and the date of en-  
8           actment of this paragraph, and who has  
9           not already received a forbearance under  
10          subsection (b), shall automatically be  
11          granted a 60-day forbearance that begins  
12          on the date of enactment of this para-  
13          graph, provided that a borrower shall not  
14          be considered delinquent for purposes of  
15          this paragraph while making timely pay-  
16          ments or otherwise performing under a  
17          trial modification or other loss mitigation  
18          agreement; and

19          “(ii) any borrower whose covered  
20          mortgage loan becomes 60 days delinquent  
21          between the date of enactment of this  
22          paragraph and the end of the covered pe-  
23          riod, and who has not already received a  
24          forbearance under subsection (b), shall  
25          automatically be granted a 60-day forbear-



1           ance that begins on the 60th day of delin-  
2           quency, provided that a borrower shall not  
3           be considered delinquent for purposes of  
4           this paragraph while making timely pay-  
5           ments or otherwise performing under a  
6           trial modification or other loss mitigation  
7           agreement.

8           “(B) INITIAL EXTENSION.—An automatic  
9           forbearance provided under subparagraph (A)  
10          shall be extended for up to an additional 120  
11          days upon the borrower’s request, oral or writ-  
12          ten, submitted to the borrower’s servicer affirm-  
13          ing that the borrower is experiencing a financial  
14          hardship that prevents the borrower from mak-  
15          ing timely payments on the covered mortgage  
16          loan due, directly or indirectly, to the COVID–  
17          19 emergency.

18          “(C) SUBSEQUENT EXTENSION.—A for-  
19          bearance extended under subparagraph (B)  
20          shall be extended for up to an additional 180  
21          days, up to a maximum of 360 days (including  
22          the period of automatic forbearance), upon the  
23          borrower’s request, oral or written, submitted to  
24          the borrower’s servicer affirming that the bor-  
25          rower is experiencing a financial hardship that

1 prevents the borrower from making timely pay-  
2 ments on the covered mortgage loan due, di-  
3 rectly or indirectly, to the COVID-19 emer-  
4 gency.

5 “(D) RIGHT TO ELECT TO CONTINUE MAK-  
6 ING PAYMENTS.—With respect to a forbearance  
7 provided under this paragraph, the borrower of  
8 such loan may elect to continue making regular  
9 payments on the loan. A borrower who makes  
10 such election shall be offered a loss mitigation  
11 option pursuant to subsection (d) within 30  
12 days of resuming regular payments to address  
13 any payment deficiency during the forbearance.

14 “(E) RIGHT TO SHORTEN FORBEAR-  
15 ANCE.—At a borrower’s request, any period of  
16 forbearance provided under this paragraph may  
17 be shortened. A borrower who makes such a re-  
18 quest shall be offered a loss mitigation option  
19 pursuant to subsection (d) within 30 days of re-  
20 suming regular payments to address any pay-  
21 ment deficiency during the forbearance.

22 “(10) AUTOMATIC FORBEARANCE FOR CERTAIN  
23 REVERSE MORTGAGE LOANS.—

24 “(A) IN GENERAL.—When any covered  
25 mortgage loan which is also a federally-insured

1 reverse mortgage loan, during the covered pe-  
2 riod, is due and payable due to the death of the  
3 last borrower or end of a deferral period or eli-  
4 gible to be called due and payable due to a  
5 property charge default, or if the borrower de-  
6 faults on a property charge repayment plan, or  
7 if the borrower defaults for failure to complete  
8 property repairs, or if an obligation of the bor-  
9 rower under the Security Instrument is not per-  
10 formed, the mortgagee automatically shall be  
11 granted a six-month extension of—

12 “(i) the mortgagee’s deadline to re-  
13 quest due and payable status from the De-  
14 partment of Housing and Urban Develop-  
15 ment;

16 “(ii) the mortgage’s deadline to send  
17 notification to the mortgagor or his or her  
18 heirs that the loan is due and payable;

19 “(iii) the deadline to initiate fore-  
20 closure;

21 “(iv) any reasonable diligence period  
22 related to foreclosure or the Mortgage Op-  
23 tional Election;

24 “(v) if applicable, the deadline to ob-  
25 tain the due and payable appraisal; and

1 “(vi) any claim submission deadline,  
2 including the 6-month acquired property  
3 marketing period.

4 “(B) FORBEARANCE PERIOD.—The mort-  
5 gagee shall not request due and payable status  
6 from the Secretary of Housing and Urban De-  
7 velopment nor initiate foreclosure during this  
8 six-month period described under subparagraph  
9 (A), which shall be considered a forbearance pe-  
10 riod.

11 “(C) EXTENSION.—A forbearance provided  
12 under subparagraph (B) and related deadline  
13 extension authorized under subparagraph (A)  
14 shall be extended for an additional 180 days  
15 upon—

16 “(i) the borrower’s request, oral or  
17 written, submitted to the borrower’s  
18 servicer affirming that the borrower is ex-  
19 perencing a financial hardship that pre-  
20 vents the borrower from making payments  
21 on property charges, completing property  
22 repairs, or performing an obligation of the  
23 borrower under the Security Instrument  
24 due, directly or indirectly, to the COVID–  
25 19 emergency;

1                   “(ii) a non-borrowing spouse’s re-  
2                   quest, oral or written, submitted to the  
3                   servicer affirming that the non-borrowing  
4                   spouse has been unable to satisfy all cri-  
5                   teria for the Mortgagee Optional Election  
6                   program due, directly or indirectly, to the  
7                   COVID-19 emergency, or to perform all  
8                   actions necessary to become an eligible  
9                   non-borrowing spouse following the death  
10                  of all borrowers; or

11                  “(iii) a successor-in-interest of the  
12                  borrower’s request, oral or written, sub-  
13                  mitted to the servicer affirming the heir’s  
14                  difficulty satisfying the reverse mortgage  
15                  loan due, directly or indirectly, to the  
16                  COVID-19 emergency.

17                  “(D) CURTAILMENT OF DEBENTURE IN-  
18                  TEREST.—Where any covered mortgage loan  
19                  which is also a federally insured reverse mort-  
20                  gage loan is in default during the covered pe-  
21                  riod and subject to a prior event which provides  
22                  for curtailment of debenture interest in connec-  
23                  tion with a claim for insurance benefits, the  
24                  curtailment of debenture interest shall be sus-

1           pended during any forbearance period provided  
2           herein.”.

3           (3) ADDITIONAL FORECLOSURE AND REPOSSES-  
4           SION PROTECTIONS.—Section 4022(c) of the  
5           CARES Act (15 U.S.C. 9056(c)) is amended—

6                   (A) in paragraph (2), by striking “may not  
7                   initiate any judicial or non-judicial foreclosure  
8                   process, move for a foreclosure judgment or  
9                   order of sale, or execute a foreclosure-related  
10                  eviction or foreclosure sale for not less than the  
11                  60-day period beginning on March 18, 2020”  
12                  and inserting “may not initiate or proceed with  
13                  any judicial or non-judicial foreclosure process,  
14                  schedule a foreclosure sale, move for a fore-  
15                  closure judgment or order of sale, execute a  
16                  foreclosure related eviction or foreclosure sale  
17                  for six months after the date of enactment of  
18                  the COVID–19 HERO Act”; and

19                  (B) by adding at the end the following:

20                  “(3) REPOSSESSION MORATORIUM.—In the case  
21                  of personal property, including any recreational or  
22                  motor vehicle, used as a dwelling, no person may use  
23                  any judicial or non-judicial procedure to repossess or  
24                  otherwise take possession of such property for six  
25                  months after date of enactment of this paragraph.”.

1 (4) MORTGAGE FORBEARANCE REFORMS.—Sec-  
2 tion 4022 of the CARES Act (15 U.S.C. 9056) is  
3 amended—

4 (A) in subsection (b), by striking para-  
5 graphs (1), (2), and (3) and inserting the fol-  
6 lowing:

7 “(1) IN GENERAL.—During the covered period,  
8 a borrower with a covered mortgage loan who has  
9 not obtained automatic forbearance pursuant to this  
10 section and who is experiencing a financial hardship  
11 that prevents the borrower from making timely pay-  
12 ments on the covered mortgage loan due, directly or  
13 indirectly, to the COVID–19 emergency may request  
14 forbearance on the loan, regardless of delinquency  
15 status, by—

16 “(A) submitting a request, orally or in  
17 writing, to the servicer of the loan; and

18 “(B) affirming that the borrower is experi-  
19 encing a financial hardship that prevents the  
20 borrower from making timely payments on the  
21 covered mortgage loan due, directly or indi-  
22 rectly, to the COVID–19 emergency.

23 “(2) DURATION OF FORBEARANCE.—

24 “(A) IN GENERAL.—Upon a request by a  
25 borrower to a servicer for forbearance under

1 paragraph (1), such forbearance shall be grant-  
2 ed by the servicer for the period requested by  
3 the borrower, up to an initial length of 180  
4 days, the length of which shall be extended by  
5 the servicer, at the request of the borrower for  
6 the period or periods requested, for a total for-  
7 bearance period of up to 12-months.

8 “(B) MINIMUM FORBEARANCE  
9 AMOUNTS.—For purposes of granting a forbear-  
10 ance under this paragraph, a servicer may  
11 grant an initial forbearance with a term of not  
12 less than 90 days, provided that it is automati-  
13 cally extended for an additional 90 days unless  
14 the servicer confirms the borrower does not  
15 want to renew the forbearance or that the bor-  
16 rower is no longer experiencing a financial  
17 hardship that prevents the borrower from mak-  
18 ing timely mortgage payments due, directly or  
19 indirectly, to the COVID–19 emergency.

20 “(C) RIGHT TO SHORTEN FORBEAR-  
21 ANCE.—At a borrower’s request, any period of  
22 forbearance described under this paragraph  
23 may be shortened. A borrower who makes such  
24 a request shall be offered a loss mitigation op-  
25 tion pursuant to subsection (d) within 30 days



1 of resuming regular payments to address any  
2 payment deficiency during the forbearance.

3 “(3) ACCRUAL OF INTEREST OR FEES.—A  
4 servicer shall not charge a borrower any fees, pen-  
5 alties, or interest (beyond the amounts scheduled or  
6 calculated as if the borrower made all contractual  
7 payments on time and in full under the terms of the  
8 mortgage contract) in connection with a forbearance,  
9 provided that a servicer may offer the borrower a  
10 modification option at the end of a forbearance pe-  
11 riod granted hereunder that includes the capitaliza-  
12 tion of past due principal and interest and escrow  
13 payments as long as the borrower’s principal and in-  
14 terest payment under such modification remains at  
15 or below the contractual principal and interest pay-  
16 ments owed under the terms of the mortgage con-  
17 tract before such forbearance period except as the  
18 result of a change in the index of an adjustable rate  
19 mortgage.

20 “(4) COMMUNICATION WITH SERVICERS.—Any  
21 communication between a borrower and a servicer  
22 described under this section may be made in writing  
23 or orally, at the borrower’s choice.

24 “(5) COMMUNICATION WITH BORROWERS WITH  
25 A DISABILITY.—Upon request from a borrower,

1       servicers shall communicate with borrowers who  
2       have a disability in the borrower’s preferred method  
3       of communication. For purposes of this paragraph,  
4       the term ‘disability’ has the meaning given that term  
5       in the Fair Housing Act, the Americans with Dis-  
6       abilities Act of 1990, or the Rehabilitation Act of  
7       1973.”; and

8               (B) in subsection (c), by amending para-  
9       graph (1) to read as follows:

10       “(1) NO DOCUMENTATION REQUIRED.—A  
11       servicer of a covered mortgage loan shall not require  
12       any documentation with respect to a forbearance  
13       under this section other than the borrower’s affirma-  
14       tion (oral or written) to a financial hardship that  
15       prevents the borrower from making timely payments  
16       on the covered mortgage loan due, directly or indi-  
17       rectly, to the COVID–19 emergency. An oral request  
18       for forbearance and oral affirmation of hardship by  
19       the borrower shall be sufficient for the borrower to  
20       obtain or extend a forbearance.”.

21       (5) OTHER SERVICER REQUIREMENTS DURING  
22       FORBEARANCE.—Section 4022(c) of the CARES Act  
23       (15 U.S.C. 9056(c)), as amended by paragraph (3)  
24       of this subsection, is further amended by adding at  
25       the end the following:

1           “(4) FORBEARANCE TERMS NOTICE.—Within  
2       30 days of a servicer of a covered mortgage loan  
3       providing forbearance to a borrower under sub-  
4       section (b) or paragraph (9) or (10), or 10 days if  
5       the forbearance is for a term of less than 60 days,  
6       but only where the forbearance was provided in re-  
7       sponse to a borrower’s request for forbearance or  
8       when an automatic forbearance was initially pro-  
9       vided under paragraph (9) or (10), and not when an  
10      existing forbearance is automatically extended, the  
11      servicer shall provide the borrower with a notice in  
12      accordance with the terms in paragraph (5).

13           “(5) CONTENTS OF NOTICE.—The written no-  
14      tice required under paragraph (4) shall state in  
15      plain language—

16                   “(A) the specific terms of the forbearance;

17                   “(B) the beginning and ending dates of the  
18      forbearance;

19                   “(C) that the borrower is eligible for up to  
20      12 months of forbearance;

21                   “(D) that the borrower may request an ex-  
22      tension of the forbearance unless the borrower  
23      will have reached the maximum period at the  
24      end of the forbearance;

1           “(E) that the borrower may request that  
2           the initial or extended period be shortened at  
3           any time;

4           “(F) that the borrower should contact the  
5           servicer before the end of the forbearance pe-  
6           riod;

7           “(G) a description of the loss mitigation  
8           options that may be available to the borrower at  
9           the end of the forbearance period based on the  
10          borrower’s specific loan;

11          “(H) information on how to find a housing  
12          counseling agency approved by the Department  
13          of Housing and Urban Development;

14          “(I) in the case of a forbearance provided  
15          pursuant to paragraph (9) or (10), that the for-  
16          bearance was automatically provided and how  
17          to contact the servicer to make arrangements  
18          for further assistance, including any renewal;  
19          and

20          “(J) where applicable, that the forbearance  
21          is subject to an automatic extension including  
22          the terms of any such automatic extensions and  
23          when any further extension would require a bor-  
24          rower request.

1           “(6) TREATMENT OF ESCROW ACCOUNTS.—

2           During any forbearance provided under this section,  
3           a servicer shall pay or advance funds to make dis-  
4           bursements in a timely manner from any escrow ac-  
5           count established on the covered mortgage loan.

6           “(7) NOTIFICATION FOR BORROWERS.—During  
7           the period that begins 90 days after the date of the  
8           enactment of this paragraph and ends at the end of  
9           the covered period, each servicer of a covered mort-  
10          gage loan shall be required to—

11                   “(A) make available in a clear and con-  
12                   spicuous manner on their webpage accurate in-  
13                   formation, in English and Spanish, for bor-  
14                   rowers regarding the availability of forbearance  
15                   as provided under subsection (b); and

16                   “(B) notify every borrower whose pay-  
17                   ments on a covered mortgage loan are delin-  
18                   quent in any oral communication with or to the  
19                   borrower that the borrower may be eligible to  
20                   request forbearance as provided under sub-  
21                   section (b), except that such notice shall not be  
22                   required if the borrower already has requested  
23                   forbearance under subsection (b).

24           “(8) CERTAIN TREATMENT UNDER RESPA.—As  
25          long as a borrower’s payment on a covered mortgage

1 loan was not more than 30 days delinquent on  
2 March 13, 2020, a servicer may not deem the bor-  
3 rower as delinquent while a forbearance granted  
4 under subsection (b) is in effect for purposes of the  
5 application of sections 6 and 10 of the Real Estate  
6 Settlement Procedures Act and any applicable regu-  
7 lations.”.

8 (6) POST-FORBEARANCE LOSS MITIGATION.—

9 (A) AMENDMENT TO CARES ACT.—Section  
10 4022 of the CARES Act (15 U.S.C. 9056) is  
11 amended by adding at the end the following:

12 “(d) POST-FORBEARANCE LOSS MITIGATION.—

13 “(1) NOTICE OF AVAILABILITY OF ADDITIONAL  
14 FORBEARANCE.—With respect to any covered mort-  
15 gage loan as to which forbearance under this section  
16 has been granted and not otherwise extended, in-  
17 cluding by automatic extension, a servicer shall, no  
18 later than 30 days before the end of the forbearance  
19 period, in writing, notify the borrower that addi-  
20 tional forbearance may be available and how to re-  
21 quest such forbearance, except that no such notice  
22 is required where the borrower already has requested  
23 an extension of the forbearance period, is subject to  
24 automatic extension pursuant to subsection  
25 (b)(2)(B), or no additional forbearance is available.

1           “(2) LOSS MITIGATION OFFER BEFORE EXPIRA-  
2           TION OF FORBEARANCE.—No later than 30 days be-  
3           fore the end of any forbearance period that has not  
4           been extended or 30 days after a request by a con-  
5           sumer to terminate the forbearance, which time shall  
6           be before the servicer initiates or engages in any  
7           foreclosure activity listed in subsection (c)(2), in-  
8           cluding incurring or charging to a borrower any fees  
9           or corporate advances related to a foreclosure, the  
10          servicer shall, in writing—

11                 “(A) offer the borrower a loss mitigation  
12                 option, without the charging of any fees or pen-  
13                 alties other than interest, such that the bor-  
14                 rower’s principal and interest payment remains  
15                 the same as it was prior to the forbearance,  
16                 subject to any adjustment of the index pursuant  
17                 to the terms of an adjustable rate mortgage,  
18                 and that either—

19                         “(i) defers the payment of total ar-  
20                         rearages, including any escrow advances,  
21                         to the end of the existing term of the loan,  
22                         without the charging or collection of any  
23                         additional interest on the deferred  
24                         amounts; or

1                   “(ii) extends the term of the mortgage  
2                   loan, and capitalizes, defers, or forgives all  
3                   escrow advances and other arrearages;  
4                   provided, however, that the servicer may offer  
5                   the borrower a loss mitigation option that re-  
6                   duces the principal and interest payment on the  
7                   loan and capitalizes, defers, or forgives all es-  
8                   crow advances or arrearages if the servicer has  
9                   information indicating that the borrower cannot  
10                  resume the pre-forbearance mortgage payments;  
11                  and

12                  “(B) concurrent with the loss mitigation  
13                  offer in subparagraph (A), notify the borrower  
14                  that the borrower has the right to be evaluated  
15                  for other loss mitigation options if the borrower  
16                  is not able to make the payment under the op-  
17                  tion offered in subparagraph (A).

18                  “(3) EVALUATION FOR LOSS MITIGATION PRIOR  
19                  TO FORECLOSURE INITIATION.—Before a servicer  
20                  may initiate or engage in any foreclosure activity  
21                  listed in subsection (c)(2), including incurring or  
22                  charging to a borrower any fees or corporate ad-  
23                  vances related to a foreclosure on the basis that the  
24                  borrower has failed to perform under the loss miti-  
25                  gation offer in paragraph (2)(A) within the first 90



1 days after the option is offered, including a failure  
2 to accept the loss mitigation offer in paragraph  
3 (2)(A), the servicer shall—

4 “(A) unless the borrower has already sub-  
5 mitted a complete application that the servicer  
6 is reviewing—

7 “(i) notify the borrower in writing of  
8 the documents and information, if any,  
9 needed by the servicer to enable the  
10 servicer to consider the borrower for all  
11 available loss mitigation options;

12 “(ii) exercise reasonable diligence to  
13 obtain the documents and information  
14 needed to complete the borrower’s loss  
15 mitigation application;

16 “(B) upon receipt of a complete applica-  
17 tion or if, despite the servicer’s exercise of rea-  
18 sonable diligence, the loss mitigation application  
19 remains incomplete sixty days after the notice  
20 in paragraph (2)(A) is sent, conduct an evalua-  
21 tion of the complete or incomplete loss mitiga-  
22 tion application without reference to whether  
23 the borrower has previously submitted a com-  
24 plete loss mitigation application and offer the  
25 borrower all available loss mitigation options for

1           which the borrower qualifies under applicable  
2           investor guidelines, including guidelines regard-  
3           ing required documentation.

4           “(4) EFFECT ON FUTURE REQUESTS FOR LOSS  
5           MITIGATION REVIEW.—An application, offer, or eval-  
6           uation for loss mitigation under this section shall  
7           not be the basis for the denial of a borrower’s appli-  
8           cation as duplicative or for a reduction in the bor-  
9           rower’s appeal rights under Regulation X (12 C.F.R.  
10          1024) in regard to any loss mitigation application  
11          submitted after the servicer has complied with the  
12          requirements of paragraphs (2) and (3).

13          “(5) SAFE HARBOR.—Any loss mitigation op-  
14          tion authorized by the Federal National Mortgage  
15          Association, the Federal Home Loan Corporation, or  
16          the Federal Housing Administration that either—

17               “(A) defers the payment of total arrear-  
18               ages, including any escrow advances, to the end  
19               of the existing term of the loan, without the  
20               charging or collection of any additional interest  
21               on the deferred amounts, or

22               “(B) extends the term of the mortgage  
23               loan, and capitalizes, defers, or forgives all es-  
24               crow advances and other arrearages, without  
25               the charging of any fees or penalties beyond in-

1           terest on any amount capitalized into the loan  
2           principal,  
3           shall be deemed to comply with the requirements of  
4           paragraph (1)(B).

5           “(6) HOME RETENTION OPTIONS FOR CERTAIN  
6           REVERSE MORTGAGE LOANS.—

7                   “(A) IN GENERAL.—For a covered mort-  
8           gage loan which is also a federally-insured re-  
9           verse mortgage loan, a servicer’s conduct shall  
10          be deemed to comply with this section provided  
11          that if the loan is eligible to be called due and  
12          payable due to a property charge default, the  
13          mortgagee shall, as a precondition to sending a  
14          due and payable request to the Secretary or ini-  
15          tiating or continuing a foreclosure process—

16                   “(i) make a good faith effort to com-  
17          municate with the borrower regarding  
18          available home retention options to cure  
19          the property charge default, including en-  
20          couraging the borrower to apply for home  
21          retention options; and

22                   “(ii) consider the borrower for all  
23          available home retention options as allowed  
24          by the Secretary.

1 “(B) PERMISSIBLE REPAYMENT PLANS.—

2 The Secretary shall amend its allowable home  
3 retention options to permit a repayment plan of  
4 up to 120 months in length, and to permit a re-  
5 payment plan without regard to prior defaults  
6 on repayment plans.

7 “(C) LIMITATION ON INTEREST CURTAIL-  
8 MENT.—The Secretary may not curtail interest  
9 paid to mortgagees who engage in loss mitiga-  
10 tion or home retention actions through interest  
11 curtailment during such loss mitigation or home  
12 retention review or during the period when a  
13 loss mitigation or home retention plan is in ef-  
14 fect and ending 90 days after any such plan  
15 terminates.”.

16 (B) AMENDMENT TO HOUSING ACT OF  
17 1949.—Section 505 of the Housing Act of 1949  
18 (42 U.S.C. 1475) is amended—

19 (i) by striking the section heading and  
20 inserting “LOSS MITIGATION AND FORE-  
21 CLOSURE PROCEDURES”;

22 (ii) in subsection (a), by striking the  
23 section designation and all that follows  
24 through “During any” and inserting the  
25 following:

1       “SEC. 505. (a) Moratorium— (1) In determining a  
2 borrower’s eligibility for relief, the Secretary shall make  
3 all eligibility decisions based on the borrower’s household’s  
4 income, expenses, and circumstances.

5       “(2) During any”.

6                       (iii) by redesignating subsection (b) as  
7 subsection (c); and

8                       (iv) by inserting after subsection (a)  
9 the following new subsection:

10       “(b) LOAN MODIFICATION.— (1) Notwithstanding  
11 any other provision of this title, for any loan made under  
12 section 502 or 504, the Secretary may modify the interest  
13 rate and extend the term of such loan for up to 30 years  
14 from the date of such modification.

15       “(2) At the end of any moratorium period granted  
16 under this section or under the COVID–19 HERO Act,  
17 the Secretary shall determine whether the borrower can  
18 reasonably resume making principal and interest pay-  
19 ments after the Secretary modifies the borrower’s loan ob-  
20 ligations in accordance with paragraph (1).”.

21                       (7) MULTIFAMILY MORTGAGE FORBEARANCE.—  
22 Section 4023 of the CARES Act (15 U.S.C. 9057)  
23 is amended—

24                       (A) by striking “Federally backed multi-  
25 family mortgage loan” each place such term ap-

1           pears and inserting “multifamily mortgage  
2           loan”;

3                   (B) in subsection (b), by striking “during”  
4           and inserting “due, directly or indirectly, to”;

5                   (C) in subsection (c)(1)—

6                           (i) in subparagraph (A), by adding  
7                   “and” at the end;

8                           (ii) by striking subparagraphs (B) and  
9                   (C) and inserting the following:

10                   “(B) provide the forbearance for up to the  
11           end of the period described under section  
12           4024(b).”; and

13                   (D) by redesignating subsection (f) as sub-  
14           section (g);

15                   (E) by inserting after subsection (e) the  
16           following:

17           “(f) TREATMENT AFTER FORBEARANCE.—With re-  
18   spect to a multifamily mortgage loan provided a forbear-  
19   ance under this section, the servicer of such loan—

20                   “(1) shall provide the borrower with a 12-  
21           month period beginning at the end of such forbear-  
22           ance to become current on the payments under such  
23           loan;

24                   “(2) may not charge any late fees, penalties, or  
25           other charges with respect to payments on the loan

1       that were due during the forbearance period, if such  
2       payments are made before the end of the 12-month  
3       period; and

4               “(3) may not report any adverse information to  
5       a credit rating agency (as defined under section 603  
6       of the Fair Credit Reporting Act with respect to any  
7       payments on the loan that were due during the for-  
8       bearance period, if such payments are made before  
9       the end of the 12-month period.).”; and

10               (F) in subsection (g), as so redesignated—

11                       (i) in paragraph (2)—

12                               (I) by striking “that—” and all  
13                               that follows through “(A) is secured  
14                               by” and inserting “that is secured  
15                               by”;

16                               (II) by striking “; and” and in-  
17                               serting a period; and

18                               (III) by striking subparagraph  
19                               (B); and

20                       (ii) by amending paragraph (5) to  
21       read as follows:

22               “(5) COVERED PERIOD.—With respect to a  
23       loan, the term ‘covered period’ has the meaning  
24       given that term under section 4022(a)(3).”.

1           (8) RENTER PROTECTIONS DURING FORBEAR-  
2       ANCE PERIOD.— A borrower that receives a forbear-  
3       ance pursuant to section 4022 or 4023 of the  
4       CARES Act (15 U.S.C. 9056 or 9057) may not, for  
5       the duration of the forbearance—

6           (A) evict or initiate the eviction of a tenant  
7       solely for nonpayment of rent or other fees or  
8       charges; or

9           (B) charge any late fees, penalties, or  
10      other charges to a tenant for late payment of  
11      rent.

12      (9) EXTENSION OF GSE PATCH.—

13           (A) NON-APPLICABILITY OF EXISTING  
14      SUNSET.—Section 1026.43(e)(4)(iii)(B) of title  
15      12, Code of Federal Regulations, shall have no  
16      force or effect.

17           (B) EXTENDED SUNSET.—The special  
18      rules in section 1026.43(e)(4) of title 12, Code  
19      of Federal Regulations, shall apply to covered  
20      transactions consummated prior to June 1,  
21      2022, or such later date as the Director of the  
22      Bureau of Consumer Financial Protection may  
23      determine, by rule.

24      (10) SERVICER SAFE HARBOR FROM INVESTOR  
25      LIABILITY.—



1 (A) SAFE HARBOR.—

2 (i) IN GENERAL.—A servicer of cov-  
3 ered mortgage loans or multifamily mort-  
4 gage loans shall be deemed not to have vio-  
5 lated any duty or contractual obligation  
6 owed to investors or other parties regard-  
7 ing such mortgage loans on account of of-  
8 fering or implementing in good faith for-  
9 bearance during the covered period or of-  
10 fering or implementing in good faith post-  
11 forbearance loss mitigation (including after  
12 the expiration of the covered period) in ac-  
13 cordance with the terms of sections 4022  
14 and 4023 of the CARES Act to borrowers,  
15 respectively, on covered or multifamily  
16 mortgage loans that it services and shall  
17 not be liable to any party who is owed such  
18 a duty or obligation or subject to any in-  
19 junction, stay, or other equitable relief to  
20 such party on account of such offer or im-  
21 plementation of forbearance or post-for-  
22 bearance loss mitigation.

23 (ii) OTHER PERSONS.—Any person,  
24 including a trustee of a securitization vehi-  
25 cle or other party involved in a

1 securitization or other investment vehicle,  
2 who in good faith cooperates with a  
3 servicer of covered or multifamily mortgage  
4 loans held by that securitization or invest-  
5 ment vehicle to comply with the terms of  
6 section 4022 and 4023 of the CARES Act,  
7 respectively, to borrowers on covered or  
8 multifamily mortgage loans owned by the  
9 securitization or other investment vehicle  
10 shall not be liable to any party who is owed  
11 such a duty or obligation or subject to any  
12 injunction, stay, or other equitable relief to  
13 such party on account of its cooperation  
14 with an offer or implementation of forbear-  
15 ance during the covered period or post-for-  
16 bearance loss mitigation, including after  
17 the expiration of the covered period.

18 (B) STANDARD INDUSTRY PRACTICE.—  
19 During the covered period, notwithstanding any  
20 contractual restrictions, it is deemed to be  
21 standard industry practice for a servicer to  
22 offer forbearance or loss mitigation options in  
23 accordance with the terms of sections 4022 and  
24 4023 of the CARES Act to borrowers, respec-

1           tively, on all covered or multifamily mortgage  
2           loans it services.

3           (C) RULE OF CONSTRUCTION.—Nothing in  
4           this paragraph may be construed as affecting  
5           the liability of a servicer or other person for ac-  
6           tual fraud in the servicing of a mortgage loan  
7           or for the violation of a State or Federal law.

8           (D) DEFINITIONS.—In this paragraph:

9           (i) COVERED MORTGAGE LOAN.—The  
10          term “covered mortgage loan” has the  
11          meaning given that term under section  
12          4022(a) of the CARES Act.

13          (ii) COVERED PERIOD.—The term  
14          “covered period” has the meaning given  
15          that term under section 4023(g) of the  
16          CARES Act.

17          (iii) MULTIFAMILY MORTGAGE  
18          LOAN.—The term “multifamily mortgage  
19          loan” has the meaning given that term  
20          under section 4023(g) of the CARES Act.

21          (iv) SERVICER.—The term  
22          “servicer”—

23                 (I) has the meaning given the  
24                 term under section 6(i) of the Real

1 Estate Settlement Procedures Act of  
2 1974 (12 U.S.C. 2605(i)); and

3 (II) means a master servicer and  
4 a subservicer, as such terms are de-  
5 fined, respectively, under section  
6 1024.31 of title 12, Code of Federal  
7 Regulations.

8 (v) SECURITIZATION VEHICLE.—The  
9 term “securitization vehicle” has the  
10 meaning give that term under section  
11 129A(f) of the Truth in Lending Act (15  
12 U.S.C. 1639a(f)).

13 (c) BANKRUPTCY PROTECTIONS.—

14 (1) BANKRUPTCY PROTECTIONS FOR FEDERAL  
15 CORONAVIRUS RELIEF PAYMENTS.—Section 541(b)  
16 of title 11, United States Code, is amended—

17 (A) in paragraph (9), in the matter fol-  
18 lowing subparagraph (B), by striking “or”;

19 (B) in paragraph (10)(C), by striking the  
20 period at the end and inserting “; or”; and

21 (C) by inserting after paragraph (10) the  
22 following:

23 “(11) payments made under Federal law relat-  
24 ing to the national emergency declared by the Presi-  
25 dent under the National Emergencies Act (50

1 U.S.C. 1601 et seq.) with respect to the coronavirus  
2 disease 2019 (COVID–19).”.

3 (2) PROTECTION AGAINST DISCRIMINATORY  
4 TREATMENT OF HOMEOWNERS IN BANKRUPTCY.—  
5 Section 525 of title 11, United States Code, is  
6 amended by adding at the end the following:

7 “(d) A person may not be denied any forbearance,  
8 assistance, or loan modification relief made available to  
9 borrowers by a mortgage creditor or servicer because the  
10 person is or has been a debtor, or has received a discharge,  
11 in a case under this title.”.

12 (3) INCREASING THE HOMESTEAD EXEMP-  
13 TION.—Section 522 of title 11, United States Code,  
14 is amended—

15 (A) in subsection (d)(1), by striking  
16 “\$15,000” and inserting “\$100,000”; and

17 (B) by adding at the end the following:

18 “(r) Notwithstanding any other provision of applica-  
19 ble nonbankruptcy law, a debtor in any State may exempt  
20 from property of the estate the property described in sub-  
21 section (d)(1) not to exceed the value in subsection (d)(1)  
22 if the exemption for such property permitted by applicable  
23 nonbankruptcy law is lower than that amount.”.

24 (4) EFFECT OF MISSED MORTGAGE PAYMENTS  
25 ON DISCHARGE.—Section 1328 of title 11, United

1 States Code, is amended by adding at the end the  
2 following:

3 “(i) A debtor shall not be denied a discharge under  
4 this section because, as of the date of discharge, the debtor  
5 did not make 6 or fewer payments directly to the holder  
6 of a debt secured by real property.

7 “(j) Notwithstanding subsections (a) and (b), upon  
8 the debtor’s request, the court shall grant a discharge of  
9 all debts provided for in the plan that are dischargeable  
10 under subsection (a) if the debtor—

11 “(1) has made payments under a confirmed  
12 plan for at least 1 year; and

13 “(2) is experiencing or has experienced a mate-  
14 rial financial hardship due, directly or indirectly, to  
15 the coronavirus disease 2019 (COVID–19) pan-  
16 demic.”.

17 (5) EXPANDED ELIGIBILITY FOR CHAPTER  
18 13.—Section 109(e) of title 11, United States Code,  
19 is amended—

20 (A) by striking “\$250,000” each place the  
21 term appears and inserting “\$850,000”; and

22 (B) by striking “\$750,000” each place the  
23 term appears and inserting “\$2,600,000”.

24 (6) EXTENDED CURE PERIOD FOR HOME-  
25 OWNERS HARMED BY COVID–19 PANDEMIC.—

1 (A) IN GENERAL.—Chapter 13 of title 11,  
2 United States Code, is amended by adding at  
3 the end thereof the following:

4 **“§ 1331. Special provisions related to COVID–19 pan-**  
5 **demic**

6 “(a) Notwithstanding subsections (b)(2) and (d) of  
7 section 1322, if the debtor is experiencing or has experi-  
8 enced a material financial hardship due, directly or indi-  
9 rectly, to the coronavirus disease 2019 (COVID–19) pan-  
10 demic, a plan may provide for the curing of any default  
11 within a reasonable time, not to exceed 7 years after the  
12 time that the first payment under the original confirmed  
13 plan was due, and maintenance of payments while the case  
14 is pending on any unsecured claim or secured claim on  
15 which the last payment is due after the expiration of such  
16 time. Any such plan provision shall not affect the applica-  
17 ble commitment period under section 1325(b).

18 “(b) For purposes of sections 1328(a) and 1328(b),  
19 any cure or maintenance payments under subsection (a)  
20 that are made after the end of the period during which  
21 the plan provides for payments (other than payments  
22 under subsection (a)) shall not be treated as payments  
23 under the plan.

24 “(c) Notwithstanding section 1329(c), a plan modi-  
25 fied under section 1329 at the debtor’s request may pro-

1 vide for cure or maintenance payments under subsection  
2 (a) over a period that is not longer than 7 years after  
3 the time that the first payment under the original con-  
4 firmed plan was due.

5 “(d) Notwithstanding section 362(c)(2), during the  
6 period after the debtor receives a discharge and the period  
7 during which the plan provides for the cure of any default  
8 and maintenance of payments under the plan, section  
9 362(a) shall apply to the holder of a claim for which a  
10 default is cured and payments are maintained under sub-  
11 section (a) and to any property securing such claim.

12 “(e) Notwithstanding section 1301(a)(2), the stay of  
13 section 1301(a) terminates upon the granting of a dis-  
14 charge under section 1328 with respect to all creditors  
15 other than the holder of a claim for which a default is  
16 cured and payments are maintained under subsection  
17 (a).”.

18 (B) TABLE OF CONTENTS.—The table of  
19 sections of chapter 13, title 11, United States  
20 Code, is amended by adding at the end thereof  
21 the following:

“Sec. 1331. Special provisions related to COVID–19 Pandemic.”.

22 (C) APPLICATION.—The amendments  
23 made by this paragraph shall apply only to any  
24 case under title 11, United States Code, com-  
25 menced before 3 years after the date of enact-



1           ment of this Act and pending on or commenced  
2           after such date of enactment, in which a plan  
3           under chapter 13 of title 11, United States  
4           Code, was not confirmed before March 27,  
5           2020.

6   **SEC. 110204. LIQUIDITY FOR MORTGAGE SERVICERS AND**  
7                   **RESIDENTIAL RENTAL PROPERTY OWNERS.**

8           (a) IN GENERAL.—Section 4003 of the CARES Act  
9   (15 U.S.C. 9042), is amended by adding at the end the  
10 following:

11       “(i) LIQUIDITY FOR MORTGAGE SERVICERS.—

12               “(1) IN GENERAL.—Subject to paragraph (2),  
13       the Secretary shall ensure that servicers of covered  
14       mortgage loans (as defined under section 4022) and  
15       multifamily mortgage loans (as defined under sec-  
16       tion 4023) are provided the opportunity to partici-  
17       pate in the loans, loan guarantees, or other invest-  
18       ments made by the Secretary under this section. The  
19       Secretary shall ensure that servicers are provided  
20       with access to such opportunities under equitable  
21       terms and conditions regardless of their size.

22               “(2) MORTGAGE SERVICER ELIGIBILITY.—In  
23       order to receive assistance under subsection (b)(4),  
24       a mortgage servicer shall—

1           “(A) demonstrate that the mortgage  
2           servicer has established policies and procedures  
3           to use such funds only to replace funds used for  
4           borrower assistance, including to advance funds  
5           as a result of forbearance or other loss mitiga-  
6           tion provided to borrowers;

7           “(B) demonstrate that the mortgage  
8           servicer has established policies and procedures  
9           to provide forbearance, post-forbearance loss  
10          mitigation, and other assistance to borrowers in  
11          compliance with the terms of section 4022 or  
12          4023, as applicable;

13          “(C) demonstrate that the mortgage  
14          servicer has established policies and procedures  
15          to ensure that forbearance and post-forbearance  
16          assistance is available to all borrowers in a non-  
17          discriminatory fashion and in compliance with  
18          the Fair Housing Act, the Equal Credit Oppor-  
19          tunity Act, and other applicable fair housing  
20          and fair lending laws; and

21          “(D) comply with the limitations on com-  
22          pensation set forth in section 4004.

23          “(3) MORTGAGE SERVICER REQUIREMENTS.—A  
24          mortgage servicer receiving assistance under sub-  
25          section (b)(4) may not, while the servicer is under

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1 any obligation to repay funds provided or guaran-  
2 teed under this section—

3 “(A) pay dividends with respect to the  
4 common stock of the mortgage servicer or pur-  
5 chase an equity security of the mortgage  
6 servicer or any parent company of the mortgage  
7 servicer if the security is listed on a national se-  
8 curities exchange, except to the extent required  
9 under a contractual obligation that is in effect  
10 on the date of enactment of this subsection; or  
11 “(B) prepay any debt obligation.”.

12 (b) CREDIT FACILITY FOR RESIDENTIAL RENTAL  
13 PROPERTY OWNERS.—

14 (1) IN GENERAL.—The Board of Governors of  
15 the Federal Reserve System shall—

16 (A) establish a facility, using amounts  
17 made available under section 4003(b)(4) of the  
18 CARES Act (15 U.S.C. 9042(b)(4)), to make  
19 long-term, low-cost loans to residential rental  
20 property owners as to temporarily compensate  
21 such owners for documented financial losses  
22 caused by reductions in rent payments; and

23 (B) defer such owners’ required payments  
24 on such loans until after six months after the  
25 date of enactment of this Act.

1           (2) REQUIREMENTS.—A borrower that receives  
2       a loan under this subsection may not, for the dura-  
3       tion of the loan—

4           (A) evict or initiate the eviction of a tenant  
5       solely for nonpayment of rent or other fees or  
6       charges;

7           (B) charge any late fees, penalties, or  
8       other charges to a tenant for late payment of  
9       rent; and

10          (C) with respect to a person or entity de-  
11       scribed under paragraph (4), discriminate on  
12       the basis of source of income.

13          (3) REPORT ON RESIDENTIAL RENTAL PROP-  
14       ERTY OWNERS.—The Board of Governors shall issue  
15       a report to the Congress containing the following,  
16       with respect to each property owner receiving a loan  
17       under this subsection:

18           (A) The number of borrowers that received  
19       assistance under this subsection.

20           (B) The average total loan amount that  
21       each borrower received.

22           (C) The total number of rental units that  
23       each borrower owned.

24           (D) The average rent charged by each bor-  
25       rower.

1           (4) REPORT ON LARGE RESIDENTIAL RENTAL  
2           PROPERTY OWNERS.—The Board of Governors shall  
3           issue a report to Congress that identifies any person  
4           or entity that in aggregate owns or holds a control-  
5           ling interest in any entity that, in aggregate, owns—

6                   (A) more than 100 rental units that are lo-  
7                   cated within in a single Metropolitan Statistical  
8                   Area;

9                   (B) more than 1,000 rental units nation-  
10                  wide; or

11                  (C) rental units in three or more States.

12          (c) AMENDMENTS TO NATIONAL HOUSING ACT.—  
13          Section 306(g)(1) of the National Housing Act (12 U.S.C.  
14          1721(a)) is amended—

15                (1) in the fifth sentence, by inserting after  
16                “issued” the following: “, subject to any pledge or  
17                grant of security interest of the Federal Reserve  
18                under section 4003(a) of the CARES Act (Public  
19                Law 116-136; 134 Stat. 470; 15 U.S.C. 9042(a))  
20                and to any such mortgage or mortgages or any in-  
21                terest therein and the proceeds thereon, which the  
22                Association may elect to approve”; and

23                (2) in the sixth sentence—

24                   (A) by striking “or (C)” and inserting  
25                   “(C)”; and

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1 (B) by inserting before the period the fol-  
2 lowing: “, or (D) its approval and honoring of  
3 any pledge or grant of security interest of the  
4 Federal Reserve under section 4003(a) of the  
5 CARES Act and to any such mortgage or mort-  
6 gages or any interest therein and proceeds  
7 thereon as”.

8 **SEC. 110205. RURAL RENTAL ASSISTANCE.**

9 There is authorized to be appropriated for fiscal year  
10 2020 \$309,000,000 for rural rental assistance, which shall  
11 remain available until September 30, 2021, of which—

12 (1) up to \$25,000,000 million may be used for  
13 an additional amount for rural housing vouchers for  
14 any low-income households (including those not re-  
15 ceiving rental assistance) residing in a property fi-  
16 nanced with a section 515 loan which has been pre-  
17 paid after September 30, 2005, or has matured after  
18 September 30, 2019; and

19 (2) the remainder shall be used for an addi-  
20 tional amount for rural rental assistance agreements  
21 entered into or renewed pursuant to section  
22 521(a)(2) of the Housing Act of 1949 (42 U.S.C.  
23 1490a(a)(2)) to—

1 (A) supplement the rental assistance of  
2 households on whose behalf assistance is being  
3 provided; and

4 (B) provide rental assistance on behalf of  
5 households who are not being assisted with such  
6 rental assistance but who qualify for such as-  
7 sistance.

8 **SEC. 110206. FUNDING FOR PUBLIC HOUSING AND TENANT-**  
9 **BASED RENTAL ASSISTANCE.**

10 (a) PUBLIC HOUSING OPERATING FUND.—There is  
11 authorized to be appropriated for an additional amount  
12 for fiscal year 2020 for the Public Housing Operating  
13 Fund under section 9(e) of the United States Housing Act  
14 of 1937 (42 U.S.C. 1437g(e)) \$2,000,000,000, to remain  
15 available until September 30, 2021.

16 (b) TENANT-BASED SECTION 8 RENTAL ASSIST-  
17 ANCE.—There is authorized to be appropriated for an ad-  
18 ditional amount for fiscal year 2020 for the tenant-based  
19 rental assistance under section 8(o) of the United States  
20 Housing Act of 1937 (42 U.S.C. 1437f(o))  
21 \$3,000,000,000, to remain available until September 30,  
22 2021, of which not more than \$500,000,000 may be used  
23 for administrative fees under section 8(q) of such Act (42  
24 U.S.C. 1437f(q)).

1 (c) APPLICABILITY OF WAIVERS.—Any waiver or al-  
2 ternative requirement made by the Secretary of Housing  
3 and Urban Development pursuant to the heading “Ten-  
4 ant-Based Rental Assistance” or “Public Housing Oper-  
5 ating Fund” in title XII of division B of the CARES Act  
6 (Public Law 116-136) shall apply with respect to amounts  
7 made available pursuant to this section.

8 **SEC. 110207. SUPPLEMENTAL FUNDING FOR SUPPORTIVE**  
9 **HOUSING FOR THE ELDERLY, SUPPORTIVE**  
10 **HOUSING FOR PERSONS WITH DISABILITIES,**  
11 **SUPPORTIVE HOUSING FOR PERSONS WITH**  
12 **AIDS, AND PROJECT-BASED SECTION 8 RENT-**  
13 **AL ASSISTANCE.**

14 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
15 authorized to be appropriated \$500,000,000 for fiscal year  
16 2020 for additional assistance for supportive housing for  
17 the elderly, of which—

18 (1) \$200,000,000 shall be for rental assistance  
19 under section 202 of the Housing Act of 1959 (12  
20 U.S.C. 1701q) or section 8 of the United States  
21 Housing Act of 1937 (42 U.S.C. 1437f), as appro-  
22 priate, and for hiring additional staff and for serv-  
23 ices and costs, including acquiring personal protec-  
24 tive equipment, to prevent, prepare for, or respond  
25 to the public health emergency relating to



1       Coronavirus Disease 2019 (COVID-19) pandemic;  
2       and

3               (2) \$300,000,000 shall be for grants under sec-  
4       tion 676 of the Housing and Community Develop-  
5       ment Act of 1992 (42 U.S.C. 13632) for costs of  
6       providing service coordinators for purposes of coordi-  
7       nating services to prevent, prepare for, or respond to  
8       the public health emergency relating to Coronavirus  
9       Disease 2019 (COVID-19).

10 Any provisions of, and waivers and alternative require-  
11 ments issued by the Secretary pursuant to, the heading  
12 “Department of Housing and Urban Development—Hous-  
13 ing Programs—Housing for the Elderly” in title XII of  
14 division B of the CARES Act (Public Law 116-136) shall  
15 apply with respect to amounts made available pursuant  
16 to this subsection.

17       (b) ELIGIBILITY OF SUPPORTIVE HOUSING FOR PER-  
18 SONS WITH DISABILITIES.—Subsection (a) of section 676  
19 of the Housing and Community Development Act of 1992  
20 (42 U.S.C. 13632(a)) shall be applied, for purposes of  
21 subsection (a) of this section, by substituting “(G), and  
22 (H)” for “ and (G)”.

23       (c) SERVICE COORDINATORS.—

24               (1) HIRING.—In the hiring of staff using  
25       amounts made available pursuant to this section for

1 costs of providing service coordinators, grantees  
2 shall consider and hire, at all levels of employment  
3 and to the greatest extent possible, a diverse staff,  
4 including by race, ethnicity, gender, and disability  
5 status. Each grantee shall submit a report to the  
6 Secretary of Housing and Urban Development de-  
7 scribing compliance with the preceding sentence not  
8 later than the expiration of the 120-day period that  
9 begins upon the termination of the emergency de-  
10 clared on March 13, 2020, by the President under  
11 the Robert T. Stafford Disaster Relief and Emer-  
12 gency Assistance Act (42 U.S.C. 4121 et seq.) relat-  
13 ing to the Coronavirus Disease 2019 (COVID-19)  
14 pandemic.

15 (2) ONE-TIME GRANTS.—Grants made using  
16 amounts made available pursuant to subsection (a)  
17 for costs of providing service coordinators shall not  
18 be renewable.

19 (3) ONE-YEAR AVAILABILITY.—Any amounts  
20 made available pursuant to this section for costs of  
21 providing service coordinators that are allocated for  
22 a grantee and remain unexpended upon the expira-  
23 tion of the 12-month period beginning upon such al-  
24 location shall be recaptured by the Secretary.

1 (d) FUNDING FOR SUPPORTIVE HOUSING FOR PER-  
2 SONS WITH DISABILITIES.—There is authorized to be ap-  
3 propriated \$200,000,000 for fiscal year 2020 for addi-  
4 tional assistance for supportive housing for persons with  
5 disabilities under section 811 of the Cranston-Gonzalez  
6 National Affordable Housing Act (42 U.S.C. 8013). Any  
7 provisions of, and waivers and alternative requirements  
8 issued by the Secretary pursuant to, the heading “Depart-  
9 ment of Housing and Urban Development—Housing Pro-  
10 grams—Housing for Persons With Disabilities” in title  
11 XII of division B of the CARES Act (Public Law 116-  
12 136) shall apply with respect to amounts made available  
13 pursuant to this subsection.

14 (e) FUNDING FOR HOUSING OPPORTUNITIES FOR  
15 PEOPLE WITH AIDS PROGRAM.—There is authorized to  
16 be appropriated \$15,000,000 for fiscal year 2020 for addi-  
17 tional assistance for the Housing Opportunities for Per-  
18 sons with AIDS program under the AIDS Housing Oppor-  
19 tunity Act (42 U.S.C. 12901 et seq.). Any provisions of,  
20 and waivers and alternative requirements issued by the  
21 Secretary pursuant to, the heading “Department of Hous-  
22 ing and Urban Development—Community Planning and  
23 Development—Housing Opportunities for Persons With  
24 AIDS” in title XII of division B of the CARES Act (Pub-

1 lie Law 116-136) shall apply with respect to amounts  
2 made available pursuant to this subsection.

3 (f) FUNDING FOR PROJECT-BASED SECTION 8 RENT-  
4 AL ASSISTANCE.—There is authorized to be appropriated  
5 \$750,000,000 for fiscal year 2020 for additional assist-  
6 ance for project-based rental assistance under section 8  
7 of the United States Housing Act of 1937 (42 U.S.C.  
8 1437f). Any provisions of, and waivers and alternative re-  
9 quirements issued by the Secretary pursuant to, the head-  
10 ing “Department of Housing and Urban Development—  
11 Housing Programs—Project-Based Rental Assistance” in  
12 title XII of division B of the CARES Act (Public Law  
13 116-136) shall apply with respect to amounts made avail-  
14 able pursuant to this subsection.

15 **SEC. 110208. FAIR HOUSING.**

16 (a) DEFINITION OF COVID–19 EMERGENCY PE-  
17 RIOD.— For purposes of this Act, the term “COVID–19  
18 emergency period” means the period that begins upon the  
19 date of the enactment of this Act and ends upon the date  
20 of the termination by the Federal Emergency Manage-  
21 ment Agency of the emergency declared on March 13,  
22 2020, by the President under the Robert T. Stafford Dis-  
23 aster Relief and Emergency Assistance Act (42 U.S.C.  
24 4121 et seq.) relating to the Coronavirus Disease 2019  
25 (COVID–19) pandemic.

1 (b) FAIR HOUSING ACTIVITIES.—

2 (1) AUTHORIZATION OF APPROPRIATIONS.—To  
3 ensure existing grantees have sufficient resource for  
4 fair housing activities and for technology and equip-  
5 ment needs to deliver services through use of the  
6 Internet or other electronic or virtual means in re-  
7 sponse to the public health emergency related to the  
8 Coronavirus Disease 2019 (COVID-19) pandemic,  
9 there is authorized to be appropriated \$4,000,000  
10 for Fair Housing Organization Initiative grants  
11 through the Fair Housing Initiatives Program under  
12 section 561 of the Housing and Community Devel-  
13 opment Act of 1987 (42 U.S.C. 3616a).

14 (2) 3-YEAR AVAILABILITY.—Any amounts made  
15 available pursuant paragraph (1) that are allocated  
16 for a grantee and remain unexpended upon the expi-  
17 ration of the 3-year period beginning upon such allo-  
18 cation shall be recaptured by the Secretary.

19 (c) FAIR HOUSING EDUCATION.—There is authorized  
20 to be appropriated \$10,000,000 for the Office of Fair  
21 Housing and Equal Opportunity of the Department of  
22 Housing and Urban Development to carry out a national  
23 media campaign and local education and outreach to edu-  
24 cate the public of increased housing rights during

1 COVID–19 emergency period, that provides that informa-  
2 tion and materials used in such campaign are available—

3 (1) in the languages used by communities with  
4 limited English proficiency; and

5 (2) to persons with disabilities.

6 **SEC. 110209. FUNDING FOR HOUSING COUNSELING SERV-**  
7 **ICES.**

8 (a) CONGRESSIONAL FINDINGS.—The Congress finds  
9 that—

10 (1) the spread of Coronavirus Disease 2019  
11 (COVID–19), which is now considered a global pan-  
12 demic, is expected to negatively impact the incomes  
13 of potentially millions of homeowners, renters, indi-  
14 viduals experiencing homelessness, and individuals at  
15 risk of homelessness, making it difficult for them to  
16 pay their mortgages or rents on time;

17 (2) housing counseling is critical to ensuring  
18 that homeowners, renters, individuals experiencing  
19 homelessness, and individuals at risk of homeless-  
20 ness have the resources they need to manage finan-  
21 cial hardships from the COVID-19 crisis;

22 (3) loan preservation and foreclosure mitigation  
23 services are also critical to address the needs of  
24 homeowners who lose employment and income be-  
25 cause of the pandemic and who face serious delin-

1       quency or home loan default, or are in foreclosing  
2       proceedings during this period;

3           (4) evaluations from the National Foreclosure  
4       Mitigation Counseling program revealed that home-  
5       owners at risk of or facing foreclosure are better  
6       served when they have access to a housing counselor  
7       and a range of tools and resources to help them  
8       avoid losing their home and have the support they  
9       need to tailor the best possible response to their sit-  
10      uation.

11      (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
12      authorized to be appropriated to the Neighborhood Rein-  
13      vestment Corporation (in this section referred to as the  
14      “Corporation”) established under the Neighborhood Rein-  
15      vestment Corporation Act (42 U.S.C. 8101 et seq.)  
16      \$100,000,000 for fiscal year 2020 for housing counseling  
17      services, which shall remain available until September 30,  
18      2023.

19      (c) PRIORITIZATION OF HOUSING COUNSELING  
20      SERVICES.—Of any grant funds made available pursuant  
21      to subsection (b), not less than 40 percent shall be pro-  
22      vided to counseling organizations that target counseling  
23      services to minority and low-income homeowners, renters,  
24      individuals experiencing homelessness, and individuals at  
25      risk of homelessness or provide such services in neighbor-

1 hoods with high concentrations of minority and low-in-  
2 come homeowners, renters, individuals experiencing home-  
3 lessness, and individuals at risk of homelessness.

4 (d) ELIGIBLE USES.—Amounts made available pur-  
5 suant to subsection (b) may be used in such amounts as  
6 the Corporation determines for costs of—

7 (1) public education and outreach;

8 (2) direct services, including the full range of  
9 services provided by housing counselors to assist  
10 homeowners, including manufactured homeowners,  
11 regardless of financing type, renters, individuals ex-  
12 perienceing homelessness, and individuals at risk of  
13 homelessness, including the practices, tools, and in-  
14 novations in foreclosure mitigation that were utilized  
15 in the National Foreclosure Mitigation Counseling  
16 Program, and financial capability, credit counseling,  
17 homeless counseling, and rental counseling;

18 (3) equipment and technology, including  
19 broadband internet and equipment upgrades needed  
20 to ensure timely and effective service delivery;

21 (4) training, including capacitating housing  
22 counseling staff in various modes of counseling, in-  
23 cluding rental and foreclosure, delivery of remote  
24 counseling utilizing improved technology, enhanced



1 network security, and supportive options for the de-  
2 livery of client services; and

3 (5) administration and oversight of the program  
4 in accordance with the Corporation's rate for pro-  
5 gram administration.

6 (e) DISBURSEMENT.—The Corporation shall disburse  
7 all grant funds made available pursuant to subsection (b)  
8 as expeditiously as possible, through grants to housing  
9 counseling intermediaries approved by the Department of  
10 Housing and Urban Development, State housing finance  
11 agencies, and NeighborWorks organizations. The aggre-  
12 gate amount provided to NeighborWorks organizations  
13 shall not exceed 15 percent of the total of grant funds  
14 made available pursuant to subsection (b).

15 TITLE III—PROTECTING PEOPLE  
16 EXPERIENCING HOMELESSNESS

17 **SEC. 110301. HOMELESS ASSISTANCE FUNDING.**

18 (a) EMERGENCY HOMELESS ASSISTANCE.—

19 (1) AUTHORIZATION OF APPROPRIATIONS.—

20 There is authorized to be appropriated under the  
21 Emergency Solutions Grants program under subtitle  
22 B of title IV of the McKinney-Vento Homeless As-  
23 sistance Act (42 U.S.C. 11371 et seq.)  
24 \$11,500,000,000 for grants under such subtitle in  
25 accordance with this subsection to respond to needs

1 arising from the public health emergency relating to  
2 Coronavirus Disease 2019 (COVID-19). Of such  
3 amounts made available, \$4,000,000,000 shall be al-  
4 located in accordance with sections 413 and 414 of  
5 the McKinney-Vento Homeless Assistance Act (42  
6 U.S.C. 11372, 11373).

7 (2) FORMULA.—Notwithstanding sections 413  
8 and 414 of the McKinney-Vento Homeless Assist-  
9 ance Act (42 U.S.C. 11372, 11373), the Secretary  
10 of Housing and Urban Development (in this Act re-  
11 ferred to as the “Secretary”) shall allocate any  
12 amounts remaining after amounts are allocated pur-  
13 suant to paragraph (1) in accordance with a formula  
14 to be established by the Secretary that takes into  
15 consideration the following factors:

16 (A) Risk of transmission of coronavirus in  
17 a jurisdiction.

18 (B) Whether a jurisdiction has a high  
19 number or rate of sheltered and unsheltered  
20 homeless individuals and families.

21 (C) Economic and housing market condi-  
22 tions in a jurisdiction.

23 (3) ELIGIBLE ACTIVITIES.—In addition to eligi-  
24 ble activities under section 415(a) of the McKinney-  
25 Vento Homeless Assistance Act (42 U.S.C.

1 11374(a), amounts made available pursuant to para-  
2 graph (1) may also be used for costs of the following  
3 activities:

4 (A) Providing training on infectious dis-  
5 ease prevention and mitigation.

6 (B) Providing hazard pay, including for  
7 time worked before the effectiveness of this sub-  
8 paragraph, for staff working directly to prevent  
9 and mitigate the spread of coronavirus or  
10 COVID-19 among people experiencing or at  
11 risk of homelessness.

12 (C) Reimbursement of costs for eligible ac-  
13 tivities (including activities described in this  
14 paragraph) relating to preventing, preparing  
15 for, or responding to the coronavirus or  
16 COVID-19 that were accrued before the date of  
17 the enactment of this Act.

18 (D) Notwithstanding 24 CFR  
19 576.102(a)(3), providing a hotel or motel  
20 voucher for a homeless individual or family.

21 Use of such amounts for activities described in this  
22 paragraph shall not be considered use for adminis-  
23 trative purposes for purposes of section 418 of the  
24 McKinney-Vento Homeless Assistance Act (42  
25 U.S.C. 11377).

1           (4) INAPPLICABILITY OF PROCUREMENT  
2 STANDARDS.—To the extent amounts made available  
3 pursuant to paragraph (1) are used to procure goods  
4 and services relating to activities to prevent, prepare  
5 for, or respond to the coronavirus or COVID-19, the  
6 standards and requirements regarding procurement  
7 that are otherwise applicable shall not apply.

8           (5) INAPPLICABILITY OF HABITABILITY AND  
9 ENVIRONMENTAL REVIEW STANDARDS.—Any Fed-  
10 eral standards and requirements regarding habit-  
11 ability and environmental review shall not apply with  
12 respect to any emergency shelter that is assisted  
13 with amounts made available pursuant to paragraph  
14 (1) and has been determined by a State or local  
15 health official, in accordance with such requirements  
16 as the Secretary shall establish, to be necessary to  
17 prevent and mitigate the spread of coronavirus or  
18 COVID-19, such shelters.

19           (6) INAPPLICABILITY OF CAP ON EMERGENCY  
20 SHELTER ACTIVITIES.—Subsection (b) of section  
21 415 of the McKinney-Vento Homeless Assistance  
22 Act shall not apply to any amounts made available  
23 pursuant to paragraph (1) of this subsection.

24           (7) INITIAL ALLOCATION OF ASSISTANCE.—Sec-  
25 tion 417(b) of the McKinney-Vento Homeless Assist-

1       ance Act (42 U.S.C. 11376(b)) shall be applied with  
2       respect to amounts made available pursuant to para-  
3       graph (1) of this subsection by substituting “30-  
4       day” for “60-day”.

5               (8) WAIVERS AND ALTERNATIVE REQUIRE-  
6       MENTS.—

7               (A)     AUTHORITY.—In     administering  
8       amounts made available pursuant to paragraph  
9       (1), the Secretary may waive, or specify alter-  
10      native requirements for, any provision of any  
11      statute or regulation (except for any require-  
12      ments related to fair housing, nondiscrimina-  
13      tion, labor standards, and the environment)  
14      that the Secretary administers in connection  
15      with the obligation or use by the recipient of  
16      such amounts, if the Secretary finds that good  
17      cause exists for the waiver or alternative re-  
18      quirement and such waiver or alternative re-  
19      quirement is consistent with the purposes de-  
20      scribed in this subsection.

21              (B) NOTIFICATION.—The Secretary shall  
22      notify the public through the Federal Register  
23      or other appropriate means 5 days before the  
24      effective date of any such waiver or alternative  
25      requirement, and any such public notice may be

1 provided on the Internet at the appropriate  
2 Government web site or through other elec-  
3 tronic media, as determined by the Secretary.

4 (C) EXEMPTION.—The use of amounts  
5 made available pursuant to paragraph (1) shall  
6 not be subject to the consultation, citizen par-  
7 ticipation, or match requirements that other-  
8 wise apply to the Emergency Solutions Grants  
9 program, except that a recipient shall publish  
10 how it has and will utilize its allocation at a  
11 minimum on the Internet at the appropriate  
12 Government web site or through other elec-  
13 tronic media.

14 (9) INAPPLICABILITY OF MATCHING REQUIRE-  
15 MENT.—Subsection (a) of section 416 of the McKin-  
16 ney-Vento Homeless Assistance Act (42 U.S.C.  
17 11375(a)) shall not apply to any amounts made  
18 available pursuant to paragraph (1) of this sub-  
19 section.

20 (10) PROHIBITION ON PREREQUISITES.—None  
21 of the funds authorized under this subsection may  
22 be used to require people experiencing homelessness  
23 to receive treatment or perform any other pre-  
24 requisite activities as a condition for receiving shel-  
25 ter, housing, or other services.

1 (b) CONTINUUM OF CARE PROGRAM.—Due to the  
2 emergency relating to the Coronavirus Disease 2019  
3 (COVID-19) pandemic, the Notice of Funding Availability  
4 (NOFA) for fiscal year 2020 for the Continuum of Care  
5 program under subtitle C of title IV of the McKinney-  
6 Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.)  
7 shall have no force or effect and the Secretary of Housing  
8 and Urban Development shall distribute amounts made  
9 available for such fiscal year for such program based on  
10 the results of the competition for amounts made available  
11 for such program for fiscal year 2019 (FR-6300--25), ex-  
12 cept that grant amounts may be adjusted to account for  
13 changes in fair market rents.

14 **SEC. 110302. EMERGENCY RENTAL ASSISTANCE VOUCHER**  
15 **PROGRAM.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
17 authorized to be appropriated to the Secretary of Housing  
18 and Urban Development (in this section referred to as the  
19 “Secretary”), \$1,000,000,000 for fiscal year 2020, to re-  
20 main available until expended, for incremental emergency  
21 vouchers under subsection (b).

22 (b) EMERGENCY VOUCHERS.—

23 (1) IN GENERAL.—The Secretary shall provide  
24 emergency rental assistance vouchers under this sub-  
25 section, which shall be tenant-based rental assistance

1 under section 8(o) the United States Housing Act of  
2 1937 (42 U.S.C. 1437f(o)).

3 (2) SELECTION OF FAMILIES.—

4 (A) MANDATORY PREFERENCES.—Each  
5 public housing agency administering assistance  
6 under this section shall provide preference for  
7 such assistance to eligible families that are—

8 (i) homeless (as such term is defined  
9 in section 103(a) of the McKinney-Vento  
10 Homeless Assistance Act (42 U.S.C.  
11 11302(a));

12 (ii) at risk of homelessness (as such  
13 term is defined in section 401 of the  
14 McKinney-Vento Homeless Assistance Act  
15 (42 U.S.C. 11360); or

16 (iii) fleeing, or attempting to flee, do-  
17 mestic violence, dating violence, sexual as-  
18 sault, or stalking.

19 (B) ALLOCATION.—In allocating amounts  
20 made available under this section, the Secretary  
21 shall—

22 (i) not later than 60 days after the  
23 date of the enactment of this Act, allocate  
24 at least 50 percent of such amounts to



1 public housing agencies in accordance with  
2 a formula that considers—

3 (I) the capability of public hous-  
4 ing agencies to promptly use emer-  
5 gency vouchers provided under this  
6 section; and

7 (II) the need for emergency  
8 vouchers provided under this section  
9 in the geographical area, based on  
10 factors determined by the Secretary,  
11 including risk of transmission of  
12 coronavirus, high numbers or rates of  
13 sheltered and unsheltered homeless-  
14 ness, and economic and housing mar-  
15 ket conditions;

16 (ii) allocate remaining amounts in ac-  
17 cordance with a formula that considers—

18 (I) the criteria under clause (i)  
19 and the success of a public housing  
20 agency in promptly utilizing vouchers  
21 awarded under clause (i); and

22 (II) the capability of the public  
23 housing agency to create and manage  
24 structured partnerships with service

1 providers for the delivery of appro-  
2 priate community-based services; and  
3 (iii) designate the number of vouchers  
4 under this section that each public housing  
5 agency that is awarded funds under this  
6 section is authorized to administer.

7 (C) ELECTION NOT TO ADMINISTER.—If a  
8 public housing agency elects not to administer  
9 amounts under this section, the Secretary shall  
10 award such amounts to other public housing  
11 agencies according to the criteria in subpara-  
12 graph (B).

13 (D) FAILURE TO USE VOUCHERS PROMPT-  
14 LY.—If a public housing agency fails to issue  
15 all of its authorized vouchers under this section  
16 on behalf of eligible families within a reasonable  
17 period of time as determined by the Secretary,  
18 the Secretary shall reallocate any unissued  
19 vouchers and associated funds to others public  
20 housing agencies according to the criteria under  
21 subparagraph (B)(ii).

22 (3) WAIVERS AND ALTERNATIVE REQUIRE-  
23 MENTS.—Any waiver or alternative requirement that  
24 the Secretary makes available to all public housing  
25 agencies in connection with assistance made avail-

1       able under the heading “Tenant-Based Rental As-  
2       sistance” in title XII of division B of the CARES  
3       Act (Public Law 116-136; 134 Stat.601) shall apply  
4       to assistance under this section until the expiration  
5       of such waiver or alternative requirement.

6               (4) TERMINATION OF VOUCHERS UPON TURN-  
7       OVER.—

8               (A) IN GENERAL.—A public housing agen-  
9       cy may not reissue any vouchers made available  
10      under this section when assistance for the fam-  
11      ily initially assisted is terminated.

12              (B) REALLOCATION.—Upon termination of  
13      assistance for one or more families assisted by  
14      a public housing agency under this section, the  
15      Secretary shall reallocate amounts that are no  
16      longer needed by such public housing agency  
17      for assistance under this section to another  
18      public housing agency for the renewal of vouch-  
19      ers previously authorized under this section.

1 TITLE IV—SUSPENDING NEGATIVE CREDIT RE-  
2 PORTING AND STRENGTHENING CON-  
3 SUMER AND INVESTOR PROTECTIONS

4 **SEC. 110401. REPORTING OF INFORMATION DURING MAJOR**  
5 **DISASTERS.**

6 (a) IN GENERAL.—The CARES Act (Public Law  
7 116–136) is amended by striking section 4021 and insert-  
8 ing the following:

9 **“SEC. 4021. REPORTING OF INFORMATION DURING MAJOR**  
10 **DISASTERS.**

11 “(a) PURPOSE.—The purpose of this Act, and the  
12 amendments made by this Act, is to protect consumers’  
13 credit from negative impacts as a result of financial hard-  
14 ship due to the coronavirus disease (COVID–19) outbreak  
15 and future major disasters.

16 “(b) REPORTING OF INFORMATION DURING MAJOR  
17 DISASTERS.—

18 “(1) IN GENERAL.—The Fair Credit Reporting  
19 Act is amended by inserting after section 605B the  
20 following:

21 **“§ 605C. Reporting of information during major dis-**  
22 **asters**

23 “(a) DEFINITIONS.—In this section:

24 “(1) CONSUMER.—With respect to a covered  
25 period, the term “consumer” shall only include a

1 consumer who is a resident of the affected area cov-  
2 ered by the applicable disaster or emergency declara-  
3 tion.

4 ““(2) COVERED MAJOR DISASTER PERIOD.—  
5 The term “covered major disaster period” means the  
6 period—

7 ““(A) beginning on the date on which a  
8 major disaster is declared by the President  
9 under—

10 ““(i) section 401 of the Robert T.  
11 Stafford Disaster Relief and Emergency  
12 Assistance Act (42 U.S.C. 5170), under  
13 which assistance is authorized under sec-  
14 tion 408 of such Act (42 U.S.C. 5174); or

15 ““(ii) section 501 of such Act; and

16 ““(B) ending on the date that is 120 days  
17 after the end of the incident period for such  
18 disaster.

19 ““(3) COVERED PERIOD.—The term “covered  
20 period” means the COVID–19 emergency period or  
21 a covered major disaster period.

22 ““(4) COVID–19 EMERGENCY PERIOD.—The  
23 term “COVID–19 emergency period” means the pe-  
24 riod beginning on March 13, 2020 (the date the  
25 President declared the emergency under section 501

1 of the Robert T. Stafford Disaster Relief and Emer-  
2 gency Assistance Act (42 U.S.C. 4121 et seq.) relat-  
3 ing to the Coronavirus Disease 2019 (COVID-19)  
4 pandemic) and ending on the later of—

5 ““(A) 120 days after the date of enact-  
6 ment of this section; or

7 ““(B) 120 days after the end of the inci-  
8 dent period for such emergency.

9 ““(5) MAJOR DISASTER.—The term “major dis-  
10 aster” means a major disaster declared by the Presi-  
11 dent under—

12 ““(A) section 401 of the Robert T. Staf-  
13 ford Disaster Relief and Emergency Assistance  
14 Act (42 U.S.C. 5170), under which assistance  
15 is authorized under section 408 of such Act (42  
16 U.S.C. 5174); or

17 ““(B) section 501 of such Act.

18 ““(b) MORATORIUM ON FURNISHING ADVERSE IN-  
19 FORMATION DURING COVERED PERIOD.—No person may  
20 furnish any adverse item of information (except informa-  
21 tion related to a felony criminal conviction) relating to a  
22 consumer that was the result of any action or inaction that  
23 occurred during a covered period.

24 ““(c) INFORMATION EXCLUDED FROM CONSUMER  
25 REPORTS.—In addition to the information described in

1 section 605(a), no consumer reporting agency may make  
2 any consumer report containing an adverse item of infor-  
3 mation (except information related to a felony criminal  
4 conviction) relating to a consumer that was the result of  
5 any action or inaction that occurred during a covered pe-  
6 riod.

7 ““(d) SUMMARY OF RIGHTS.—Not later than 60 days  
8 after the date of enactment of this section, the Director  
9 of the Bureau shall update the model summary of rights  
10 under section 609(c)(1) to include a description of the  
11 right of a consumer to—

12 ““(1) request the deletion of adverse items of  
13 information under subsection (e); and

14 ““(2) request a consumer report or score, with-  
15 out charge to the consumer, under subsection (f).

16 ““(e) DELETION OF ADVERSE ITEMS OF INFORMA-  
17 TION RESULTING FROM THE CORONAVIRUS DISEASE  
18 (COVID–19) OUTBREAK AND MAJOR DISASTERS.—

19 ““(1) REPORTING.—

20 ““(A) IN GENERAL.—Not later than 60  
21 days after the date of enactment of this sub-  
22 section, the Director of the Bureau shall create  
23 a website for consumers to report, under pen-  
24 alty of perjury, economic hardship as a result of  
25 the coronavirus disease (COVID–19) outbreak

1 or a major disaster for the purpose of providing  
2 credit report protections under this subsection.

3 ““(B) DOCUMENTATION.—The Director of  
4 the Bureau shall—

5 ““(i) not require any documentation  
6 from a consumer to substantiate the eco-  
7 nomic hardship; and

8 ““(ii) provide notice to the consumer  
9 that a report under subparagraph (A) is  
10 under penalty of perjury.

11 ““(C) REPORTING PERIOD.—A consumer  
12 may report economic hardship under subpara-  
13 graph (A) during a covered period and for 60  
14 days thereafter.

15 ““(2) DATABASE.—The Director of the Bureau  
16 shall establish and maintain a secure database  
17 that—

18 ““(A) is accessible to each consumer re-  
19 porting agency described in section 603(p) and  
20 nationwide specialty consumer reporting agency  
21 for purposes of fulfilling their duties under  
22 paragraph (3) to check and automatically delete  
23 any adverse item of information (except infor-  
24 mation related to a felony criminal conviction)



1 reported that occurred during a covered period  
2 with respect to a consumer; and

3 ““(B) contains the information reported  
4 under paragraph (1).

5 ““(3) DELETION OF ADVERSE ITEMS OF INFOR-  
6 MATION BY NATIONWIDE CONSUMER REPORTING  
7 AND NATIONWIDE SPECIALTY CONSUMER REPORT-  
8 ING AGENCIES.—

9 ““(A) IN GENERAL.—Each consumer re-  
10 porting agency described in section 603(p) and  
11 each nationwide specialty consumer reporting  
12 agency shall, using the information contained in  
13 the database established under paragraph (2),  
14 delete from the file of each consumer named in  
15 the database each adverse item of information  
16 (except information related to a felony criminal  
17 conviction) that was a result of an action or in-  
18 action that occurred during a covered period or  
19 in the 270-day period following the end of a  
20 covered period.

21 ““(B) TIMELINE.—Each consumer report-  
22 ing agency described in section 603(p) and each  
23 nationwide specialty consumer reporting agency  
24 shall check the database at least weekly and de-  
25 delete adverse items of information as soon as

1 practicable after information that is reported  
2 under paragraph (1) appears in the database  
3 established under paragraph (2).

4 ““(4) REQUEST FOR DELETION OF ADVERSE  
5 ITEMS OF INFORMATION.—

6 ““(A) IN GENERAL.—A consumer who has  
7 filed a report of economic hardship with the  
8 Bureau may submit a request, without charge  
9 to the consumer, to a consumer reporting agen-  
10 cy described in section 603(p) or nationwide  
11 specialty consumer reporting agency to delete  
12 from the consumer’s file an adverse item of in-  
13 formation (except information related to a fel-  
14 ony criminal conviction) that was a result of an  
15 action or inaction that occurred during a cov-  
16 ered period or in the 270-day period following  
17 the end of a covered period.

18 ““(B) TIMING.—A consumer may submit a  
19 request under subparagraph (A), not later than  
20 the end of the 270-day period described in that  
21 subparagraph.

22 ““(C) REMOVAL AND NOTIFICATION.—  
23 Upon receiving a request under this paragraph  
24 to delete an adverse item of information, a con-  
25 sumer reporting agency described in section

1           603(p) or nationwide specialty consumer report-  
2           ing agency shall—

3                   “(i) delete the adverse item of infor-  
4                   mation (except information related to a fel-  
5                   ony criminal conviction) from the con-  
6                   sumer’s file; and

7                   “(ii) notify the consumer and the  
8                   furnisher of the adverse item of informa-  
9                   tion of the deletion.

10          “(f) FREE CREDIT REPORT AND SCORES.—

11               “(1) IN GENERAL.—During the period between  
12          the beginning of a covered period and ending 12-  
13          months after the end of the covered period, each  
14          consumer reporting agency described under section  
15          603(p) and each nationwide specialty consumer re-  
16          porting agency shall make all disclosures described  
17          under section 609 upon request by a consumer, by  
18          mail or online, without charge to the consumer and  
19          without limitation as to the number of requests.  
20          Such a consumer reporting agency shall also supply  
21          a consumer, upon request and without charge, with  
22          a credit score that—

23               “(A) is derived from a credit scoring  
24          model that is widely distributed to users by the  
25          consumer reporting agency for the purpose of

1 any extension of credit or other transaction des-  
2 ignated by the consumer who is requesting the  
3 credit score; or

4 ““(B) is widely distributed to lenders of  
5 common consumer loan products and predicts  
6 the future credit behavior of a consumer.

7 ““(2) TIMING.—A file disclosure or credit score  
8 under paragraph (1) shall be provided to the con-  
9 sumer not later than—

10 ““(A) 7 days after the date on which the  
11 request is received if the request is made by  
12 mail; and

13 ““(B) not later than 15 minutes if the re-  
14 quest is made online.

15 ““(3) ADDITIONAL REPORTS.—A file disclosure  
16 provided under paragraph (1) shall be in addition to  
17 any disclosure requested by the consumer under sec-  
18 tion 612(a).

19 ““(4) PROHIBITION.—A consumer reporting  
20 agency that receives a request under paragraph (1)  
21 may not request or require any documentation from  
22 the consumer that demonstrates that the consumer  
23 was impacted by the coronavirus disease (COVID-  
24 19) outbreak or a major disaster (except to verify  
25 that the consumer is a resident of the affected area

1 covered by the applicable disaster or emergency dec-  
2 laration) as a condition of receiving the file disclo-  
3 sure or score.

4 ““(g) POSTING OF RIGHTS.—Not later than 30 days  
5 after the date of enactment of this section, each consumer  
6 reporting agency described under section 603(p) and each  
7 nationwide specialty consumer reporting agency shall  
8 prominently post and maintain a direct link on the home-  
9 page of the public website of the consumer reporting agen-  
10 cy information relating to the right of consumers to—

11 ““(1) request the deletion of adverse items of  
12 information (except information related to a felony  
13 criminal conviction) under subsection (e); and

14 ““(2) request consumer file disclosures and  
15 scores, without charge to the consumer, under sub-  
16 section (f).

17 ““(h) BAN ON REPORTING MEDICAL DEBT INFOR-  
18 MATION RELATED TO COVID–19 OR A MAJOR DIS-  
19 ASTER.—

20 ““(1) FURNISHING BAN.—No person shall fur-  
21 nish adverse information to a consumer reporting  
22 agency related to medical debt if such medical debt  
23 is with respect to medical expenses related to treat-  
24 ments arising from COVID–19 or a major disaster

1 (whether or not the expenses were incurred during  
2 a covered period).

3 ““(2) CONSUMER REPORT BAN.—No consumer  
4 reporting agency may make a consumer report con-  
5 taining adverse information related to medical debt  
6 if such medical debt is with respect to medical ex-  
7 penses related to treatments arising from COVID–  
8 19 or a major disaster (whether or not the expenses  
9 were incurred during a covered period).

10 ““(i) CREDIT SCORING MODELS.—A person that cre-  
11 ates and implements credit scoring models may not treat  
12 the absence, omission, or deletion of any information pur-  
13 suant to this section as a negative factor or negative value  
14 in credit scoring models created or implemented by such  
15 person.’.

16 ““(2) TECHNICAL AND CONFORMING AMEND-  
17 MENT.—The table of contents for the Fair Credit  
18 Reporting Act is amended by inserting after the  
19 item relating to section 605B the following:

“‘605C. Reporting of information during major disasters.’.

20 **“SEC. 4021A. LIMITATIONS ON NEW CREDIT SCORING MOD-**  
21 **ELS DURING THE COVID–19 EMERGENCY AND**  
22 **MAJOR DISASTERS.**

23 “‘The Fair Credit Reporting Act (15 U.S.C. 1681 et  
24 seq.) is amended—

25 ““(1) by adding at the end the following:

1 **“§ 630. Limitations on new credit scoring models**  
2 **during the COVID-19 emergency and**  
3 **major disasters**

4 “‘With respect to a person that creates and imple-  
5 ments credit scoring models, such person may not, during  
6 a covered period (as defined under section 605C), create  
7 or implement a new credit scoring model (including a revi-  
8 sion to an existing scoring model) if the new credit scoring  
9 model would identify a significant percentage of con-  
10 sumers as being less creditworthy when compared to the  
11 previous credit scoring models created or implemented by  
12 such person.’; and

13 “(2) in the table of contents for such Act, by  
14 adding at the end the following new item:

“‘630. Limitations on new credit scoring models during the COVID-19 emer-  
gency and major disasters.’.

15 (b) CLERICAL AMENDMENT.—The table of contents  
16 in section 2 of the CARES Act is amended by striking  
17 the item relating to section 4021 and inserting the fol-  
18 lowing:

“Sec. 4021. Reporting of information during major disasters.

“Sec. 4021A. Limitations on new credit scoring models during the COVID-19  
emergency and major disasters.”.

19 (c) CONFORMING AMENDMENT.—Subparagraph (F)  
20 of section 623(a)(1) of the Fair Credit Reporting Act (15  
21 U.S.C. 1681s-2(a)(1)) is hereby repealed.

1 **SEC. 110402. RESTRICTIONS ON COLLECTIONS OF CON-**  
2 **SUMER DEBT DURING A NATIONAL DISASTER**  
3 **OR EMERGENCY.**

4 (a) IN GENERAL.—The Fair Debt Collection Prac-  
5 tices Act (15 U.S.C. 1692 et seq.) is amended by inserting  
6 after section 812 (15 U.S.C. 1692j) the following:

7 **“§ 812A. Restrictions on collections of consumer debt**  
8 **during a national disaster or emergency**

9 “(a) DEFINITIONS.—In this section:

10 “(1) COVERED PERIOD.—The term ‘covered pe-  
11 riod’ means the period beginning on the date of en-  
12 actment of this section and ending 120 days after  
13 the end of the incident period for the emergency de-  
14 clared on March 13, 2020, by the President under  
15 section 501 of the Robert T. Stafford Disaster Relief  
16 and Emergency Assistance Act (42 U.S.C. 4121 et  
17 seq.) relating to the Coronavirus Disease 2019  
18 (COVID-19) pandemic.

19 “(2) CREDITOR.—The term ‘creditor’ means  
20 any person—

21 “(A) who offers or extends credit creating  
22 a debt or to whom a debt is owed; or

23 “(B) to whom any obligation for payment  
24 is owed.

25 “(3) DEBT.—The term ‘debt’—



1           “(A) means any obligation or alleged obli-  
2           gation that is or during the covered period be-  
3           comes past due, other than an obligation aris-  
4           ing out of a credit agreement entered into after  
5           the effective date of this section, that arises out  
6           of a transaction with a consumer; and

7           “(B) does not include a mortgage loan.

8           “(4) DEBT COLLECTOR.—The term ‘debt col-  
9           lector’ means a creditor and any other person or en-  
10          tity that engages in the collection of debt, including  
11          the Federal Government and a State government, ir-  
12          respective of whether the applicable debt is allegedly  
13          owed to or assigned to such creditor, person, or enti-  
14          ty.

15          “(5) MORTGAGE LOAN.—The term ‘mortgage  
16          loan’ means a covered mortgage loan (as defined  
17          under section 4022 of the CARES Act) and a multi-  
18          family mortgage loan (as defined under section 4023  
19          of the CARES Act).

20          “(b) PROHIBITIONS.—

21          “(1) IN GENERAL.—Notwithstanding any other  
22          provision of law, no debt collector may, during a cov-  
23          ered period—

1           “(A) enforce a security interest securing a  
2           debt through repossession, limitation of use, or  
3           foreclosure;

4           “(B) take or threaten to take any action to  
5           deprive an individual of their liberty as a result  
6           of nonpayment of or nonappearance at any  
7           hearing relating to an obligation owed by a con-  
8           sumer;

9           “(C) collect any debt, by way of garnish-  
10          ment, attachment, assignment, deduction, off-  
11          set, or other seizure, from—

12                 “(i) wages, income, benefits, bank,  
13                 prepaid or other asset accounts; or

14                 “(ii) any assets of, or other amounts  
15                 due to, a consumer;

16          “(D) commence or continue an action to  
17          evict a consumer from real or personal property  
18          for nonpayment;

19          “(E) disconnect or terminate service from  
20          a utility service, including electricity, natural  
21          gas, telecommunications or broadband, water,  
22          or sewer, for nonpayment; or

23          “(F) threaten to take any of the foregoing  
24          actions.

1           “(2) RULE OF CONSTRUCTION.—Nothing in  
2           this section may be construed to prohibit a consumer  
3           from voluntarily paying, in whole or in part, a debt.

4           “(c) LIMITATION ON FEES AND INTEREST.—After  
5           the expiration of a covered period, a debt collector may  
6           not add to any past due debt any interest on unpaid inter-  
7           est, higher rate of interest triggered by the nonpayment  
8           of the debt, or fee triggered prior to the expiration of the  
9           covered period by the nonpayment of the debt.

10          “(e) VIOLATIONS.—Any person or government entity  
11          that violates this section shall be liable to the applicable  
12          consumer as provided under section 813, except that, for  
13          purposes of applying section 813—

14                 “(1) such person or government entity shall be  
15                 deemed a debt collector, as such term is defined for  
16                 purposes of section 813; and

17                 “(2) each dollar figure in such section shall be  
18                 deemed to be 10 times the dollar figure specified.

19          “(f) TOLLING.—Any applicable time limitations for  
20          exercising an action prohibited under subsection (b) shall  
21          be tolled during a covered period.

22          “(g) PREDISPUTE ARBITRATION AGREEMENTS.—  
23          Notwithstanding any other provision of law, no predispute  
24          arbitration agreement or predispute joint-action waiver  
25          shall be valid or enforceable with respect to a dispute

1 brought under this section, including a dispute as to the  
2 applicability of this section, which shall be determined  
3 under Federal law.”.

4 (b) CLERICAL AMENDMENT.—The table of contents  
5 for the Fair Debt Collection Practices Act is amended by  
6 inserting after the item relating to section 812 the fol-  
7 lowing:

“812A. Restrictions on collections of consumer debt during a national disaster  
or emergency.”.

8 **SEC. 110403. REPAYMENT PERIOD AND FORBEARANCE FOR**  
9 **CONSUMERS.**

10 Section 812A of the Fair Debt Collection Practices  
11 Act (15 U.S.C. 1692 et seq.), as added by section 110402,  
12 is amended—

13 (1) by inserting after subsection (c) the fol-  
14 lowing:

15 “(d) REPAYMENT PERIOD.—After the expiration of  
16 a covered period, a debt collector shall comply with the  
17 following:

18 “(1) DEBT ARISING FROM CREDIT WITH A DE-  
19 FINED PAYMENT PERIOD.—For any debt arising  
20 from credit with a defined term, the debt collector  
21 shall extend the time period to repay any past due  
22 balance of the debt by—

23 “(A) 1 payment period for each payment  
24 that a consumer missed during the covered pe-

1           riod, with the payments due in the same  
2           amounts and at the same intervals as the pre-  
3           existing payment schedule; and

4                   “(B) 1 payment period in addition to the  
5           payment periods described under subparagraph  
6           (A).

7                   “(2) DEBT ARISING FROM AN OPEN END CRED-  
8           IT PLAN.—For debt arising from an open end credit  
9           plan, as defined in section 103 of the Truth in  
10          Lending Act (15 U.S.C. 1602), the debt collector  
11          shall allow the consumer to repay the past-due bal-  
12          ance in a manner that does not exceed the amounts  
13          permitted by the methods described in section  
14          171(c) of the Truth in Lending Act (15 U.S.C.  
15          1666i–1(c)) and regulations promulgated under that  
16          section.

17                   “(3) DEBT ARISING FROM OTHER CREDIT.—

18                           “(A) IN GENERAL.—For debt not de-  
19                   scribed under paragraph (2) or (3), the debt  
20                   collector shall—

21                                   “(i) allow the consumer to repay the  
22                                   past-due balance of the debt in substan-  
23                                   tially equal payments over time; and

24                                   “(ii) provide the consumer with—

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1 “(I) for past due balances of  
2 \$2,000 or less, 12 months to repay, or  
3 such longer period as the debt col-  
4 lector may allow;

5 “(II) for past due balances be-  
6 tween \$2,001 and \$5,000, 24 months  
7 to repay, or such longer period as the  
8 debt collector may allow; or

9 “(III) for past due balances  
10 greater than \$5,000, 36 months to  
11 repay, or such longer period as the  
12 debt collector may allow.

13 “(B) ADDITIONAL PROTECTIONS.—The Di-  
14 rector of the Bureau may issue rules to provide  
15 greater repayment protections to consumers  
16 with debts described under subparagraph (A).

17 “(C) RELATION TO STATE LAW.—This  
18 paragraph shall not preempt any State law that  
19 provides for greater consumer protections than  
20 this paragraph.”; and

21 (2) by adding at the end the following:

22 “(h) FORBEARANCE FOR AFFECTED CONSUMERS.—

23 “(1) FORBEARANCE PROGRAM.—Each debt col-  
24 lector that makes use of the credit facility described

1 in paragraph (4) shall establish a forbearance pro-  
2 gram for debts available during the covered period.

3 “(2) AUTOMATIC GRANT OF FORBEARANCE  
4 UPON REQUEST.—Under a forbearance program re-  
5 quired under paragraph (1), upon the request of a  
6 consumer experiencing a financial hardship due, di-  
7 rectly or indirectly, to COVID–19, the debt collector  
8 shall grant a forbearance on payment of debt for  
9 such time as needed until the end of the covered pe-  
10 riod, with no additional documentation required  
11 other than the borrower’s attestation to a financial  
12 hardship caused by COVID–19 and with no fees,  
13 penalties, or interest (beyond the amounts scheduled  
14 or calculated as if the borrower made all contractual  
15 payments on time and in full under the terms of the  
16 loan contract) charged to the borrower in connection  
17 with the forbearance.

18 “(3) EXCEPTION FOR CERTAIN MORTGAGE  
19 LOANS SUBJECT TO THE CARES ACT.—This sub-  
20 section shall not apply to a mortgage loan subject to  
21 section 4022 or 4023 of the CARES Act.”.

22 **SEC. 110404. CREDIT FACILITY.**

23 Section 812A(h) of the Fair Debt Collection Prac-  
24 tices Act (15 U.S.C. 1692 et seq.), as added by section  
25 110403, is amended by adding at the end the following:

1           “(4) CREDIT FACILITY.—The Board of Gov-  
2           ernors of the Federal Reserve System shall—

3                   “(A) establish a facility, using amounts  
4                   made available under section 4003(b)(4) of the  
5                   CARES Act (15 U.S.C. 9042(b)(4)), to make  
6                   long-term, low-cost loans to debt collectors to  
7                   temporarily compensate such debt collectors for  
8                   documented financial losses caused by forbear-  
9                   ance of debt payments under this subsection;  
10                  and

11                   “(B) defer debt collectors’ required pay-  
12                   ments on such loans until after consumers’ debt  
13                   payments resume.”.

14       TITLE V—FORGIVING STUDENT LOAN DEBT  
15       AND PROTECTING STUDENT BORROWERS

16       **SEC. 110501. PAYMENTS FOR PRIVATE EDUCATION LOAN**  
17                   **BORROWERS AS A RESULT OF THE COVID-19**  
18                   **NATIONAL EMERGENCY.**

19       (a) IN GENERAL.—Section 140 of the Truth in Lend-  
20       ing Act (15 U.S.C. 1650) is amended by adding at the  
21       end the following new subsection:

22           “(h) COVID-19 NATIONAL EMERGENCY PRIVATE  
23       EDUCATION LOAN REPAYMENT ASSISTANCE.—

24                   “(1) AUTHORITY.—



1           “(A) IN GENERAL.—Effective on the date  
2           of the enactment of this section, until the end  
3           of September 2021, the Secretary of the Treas-  
4           ury shall, for each borrower of a private edu-  
5           cation loan, pay the total amount due for such  
6           month on the loan, based on the payment plan  
7           selected by the borrower or the borrower’s loan  
8           status.

9           “(B) LIMITATION ON PAYMENTS.—The  
10          maximum amount of aggregate payments that  
11          the Secretary of the Treasury may make under  
12          subparagraph (A) with respect to an individual  
13          borrower is \$10,000.

14          “(2) NO CAPITALIZATION OF INTEREST.—With  
15          respect to any loan in repayment until the end of  
16          September 2021, interest due on a private education  
17          loan during such period shall not be capitalized at  
18          any time until the end of September 2021.

19          “(3) REPORTING TO CONSUMER REPORTING  
20          AGENCIES.—Until the end of the September 2021—

21                 “(A) during the period in which the Sec-  
22                 retary of the Treasury is making payments on  
23                 a loan under paragraph (1), the Secretary shall  
24                 ensure that, for the purpose of reporting infor-  
25                 mation about the loan to a consumer reporting

1           agency, any payment made by the Secretary is  
2           treated as if it were a regularly scheduled pay-  
3           ment made by a borrower; and

4           “(B) no adverse credit information may be  
5           furnished to a consumer reporting agency for  
6           any private education loan.

7           “(4) NOTICE OF PAYMENTS AND PROGRAM.—  
8           Not later than 15 days following the date of enact-  
9           ment of this subsection, and monthly thereafter until  
10          the end of September 2021, the Secretary of the  
11          Treasury shall provide a notice to all borrowers of  
12          private education loans—

13           “(A) informing borrowers of the actions  
14           taken under this subsection;

15           “(B) providing borrowers with an easily  
16           accessible method to opt out of the benefits pro-  
17           vided under this subsection; and

18           “(C) notifying the borrower that the pro-  
19           gram under this subsection is a temporary pro-  
20           gram and will end at the end of September  
21           2021.

22           “(5) SUSPENSION OF INVOLUNTARY COLLEC-  
23           TION.—Until the end of September 2021, the holder  
24           of a private education loan shall immediately take

1 action to halt all involuntary collection related to the  
2 loan.

3 “(6) MANDATORY FORBEARANCE.—During the  
4 period in which the Secretary of the Treasury is  
5 making payments on a loan under paragraph (1),  
6 the servicer of such loan shall grant the borrower  
7 forbearance as follows:

8 “(A) A temporary cessation of all pay-  
9 ments on the loan other than the payments of  
10 interest and principal on the loan that are made  
11 under paragraph (1).

12 “(B) For borrowers who are delinquent  
13 but who are not yet in default before the date  
14 on which the Secretary begins making payments  
15 under paragraph (1), the retroactive application  
16 of forbearance to address any delinquency.

17 “(7) DATA TO IMPLEMENT.—Holders and  
18 servicers of private education loans shall report, to  
19 the satisfaction of the Secretary of the Treasury, the  
20 information necessary to calculate the amount to be  
21 paid under this subsection.”.

22 (b) APPROPRIATION.—Notwithstanding any other  
23 provision of law, there is appropriated to the Secretary  
24 of the Treasury, out of amounts in the Treasury not other-

1 wise appropriated, \$45,000,000,000 to carry out this title  
2 and the amendments made by this title.

3 **SEC. 110502. ADDITIONAL PROTECTIONS FOR PRIVATE STU-**  
4 **DENT LOAN BORROWERS.**

5 (a) IN GENERAL.—

6 (1) REPAYMENT PLAN AND FORGIVENESS  
7 TERMS.—Each private education loan holder who re-  
8 ceives a monthly payment pursuant to section  
9 140(h) of the Truth in Lending Act shall modify all  
10 private education loan contracts that it holds to pro-  
11 vide for the same repayment plan and forgiveness  
12 terms available to Direct Loans borrowers under  
13 section 685.209(c) of title 34, Code of Federal Reg-  
14 ulations, in effect as of January 1, 2020.

15 (2) TREATMENT OF STATE STATUTES OF LIM-  
16 TATION.—For a borrower who has defaulted on a  
17 private education loan under the terms of the prom-  
18 issory note prior to any loan payment made or for-  
19 bearance granted under section 140(h) of the Truth  
20 in Lending Act, no payment made or forbearance  
21 granted under such section 140(h) shall be consid-  
22 ered an event that impacts the calculation of the ap-  
23 plicable State statutes of limitation.

24 (3) PROHIBITION ON PRESSURING BOR-  
25 ROWERS.—

1 (A) IN GENERAL.—A private education  
2 loan debt collector or creditor may not pressure  
3 a borrower to elect to apply any amount re-  
4 ceived pursuant to subsection (b) to any private  
5 education loan.

6 (B) VIOLATIONS.—A violation of this para-  
7 graph is deemed—

8 (i) an unfair, deceptive, or abusive act  
9 or practice under Federal law in connec-  
10 tion with any transaction with a consumer  
11 for a consumer financial product or service  
12 under section 1031 of the Consumer Fi-  
13 nancial Protection Act of 2010 (12 U.S.C.  
14 5531); and

15 (ii) with respect to a violation by a  
16 debt collector, an unfair or unconscionable  
17 means to collect or attempt to collect any  
18 debt under section 808 of the Federal  
19 Debt Collection Practices Act (15 U.S.C.  
20 1692f).

21 (C) PRESSURE DEFINED.—In this para-  
22 graph, the term “pressure” means any commu-  
23 nication, recommendation, or other similar com-  
24 munication, other than providing basic informa-  
25 tion about a borrower’s options, urging a bor-

1           rower to make an election described under sub-  
2           section (b).

3           (b) RELIEF FOR PRIVATE STUDENT LOAN BOR-  
4           ROWERS AS A RESULT OF THE COVID-19 NATIONAL  
5           EMERGENCY.—

6           (1) STUDENT LOAN RELIEF AS A RESULT OF  
7           THE COVID-19 NATIONAL EMERGENCY.—Not later  
8           than 90 days after the end of September 2021, the  
9           Secretary of the Treasury shall carry out a program  
10          under which a borrower, with respect to the private  
11          education loans of such borrower, shall receive in ac-  
12          cordance with paragraph (3) an amount equal to the  
13          lesser of—

14                 (A) the total amount of each private edu-  
15                 cation loan of the borrower; or

16                 (B) \$10,000, reduced by the aggregate  
17                 amount of all payments made by the Secretary  
18                 of the Treasury with respect to such borrower  
19                 under section 140(h) of the Truth in Lending  
20                 Act.

21          (2) NOTIFICATION OF BORROWERS.—Not later  
22          than 90 days after the end of September 2021, the  
23          Secretary of the Treasury shall notify each borrower  
24          of a private education loan of—

1 (A) the requirements to provide loan relief  
2 to such borrower under this section; and

3 (B) the opportunity for such borrower to  
4 make an election under paragraph (3)(A) with  
5 respect to the application of such loan relief to  
6 the private education loans of such borrower.

7 (3) DISTRIBUTION OF FUNDING.—

8 (A) ELECTION BY BORROWER.—Not later  
9 than 45 days after a notice is sent under para-  
10 graph (2), a borrower may elect to apply the  
11 amount determined with respect to such bor-  
12 rower under paragraph (1) to any private edu-  
13 cation loan of the borrower.

14 (B) AUTOMATIC PAYMENT.—

15 (i) IN GENERAL.—In the case of a  
16 borrower who does not make an election  
17 under subparagraph (A) before the date  
18 described in such subparagraph, the Sec-  
19 retary of the Treasury shall apply the  
20 amount determined with respect to such  
21 borrower under paragraph (1) in order of  
22 the private education loan of the borrower  
23 with the highest interest rate.

24 (ii) EQUAL INTEREST RATES.—In  
25 case of two or more private education loans

1 described in clause (i) with equal interest  
2 rates, the Secretary of the Treasury shall  
3 apply the amount determined with respect  
4 to such borrower under paragraph (1) first  
5 to the loan with the highest principal.

6 (c) DEFINITIONS.—In this section:

7 (1) FAIR DEBT COLLECTION PRACTICES ACT  
8 TERMS.—The terms “creditor” and “debt collector”  
9 have the meaning given those terms, respectively,  
10 under section 803 of the Fair Debt Collection Prac-  
11 tices Act (15 U.S.C. 1692a).

12 (2) PRIVATE EDUCATION LOAN.—The term  
13 “private education loan” has the meaning given the  
14 term in section 140 of the Truth in Lending Act (15  
15 U.S.C. 1650).

16 TITLE VI—STANDING UP FOR SMALL BUSI-  
17 NESSES, MINORITY-OWNED BUSINESSES,  
18 AND NON-PROFITS

19 **SEC. 110601. RESTRICTIONS ON COLLECTIONS OF SMALL**  
20 **BUSINESS AND NONPROFIT DEBT DURING A**  
21 **NATIONAL DISASTER OR EMERGENCY.**

22 (a) IN GENERAL.—The Fair Debt Collection Prac-  
23 tices Act (15 U.S.C. 1692 et seq.), as amended by section  
24 110402, is further amended by inserting after section  
25 812A the following:



1 **“§ 812B. Restrictions on collections of small business**  
2 **and nonprofit debt during a national dis-**  
3 **aster or emergency**

4 “(a) DEFINITIONS.—In this section:

5 “(1) COVERED PERIOD.—The term ‘covered pe-  
6 riod’ means the period beginning on the date of en-  
7 actment of this section and ending 120 days after  
8 the end of the incident period for the emergency de-  
9 clared on March 13, 2020, by the President under  
10 section 501 of the Robert T. Stafford Disaster Relief  
11 and Emergency Assistance Act (42 U.S.C. 4121 et  
12 seq.) relating to the Coronavirus Disease 2019  
13 (COVID-19) pandemic.

14 “(2) CREDITOR.—The term ‘creditor’ means  
15 any person—

16 “(A) who offers or extends credit creating  
17 a debt or to whom a debt is owed; or

18 “(B) to whom any obligation for payment  
19 is owed.

20 “(3) DEBT.—The term ‘debt’—

21 “(A) means any obligation or alleged obli-  
22 gation that is or during the covered period be-  
23 comes past due, other than an obligation aris-  
24 ing out of a credit agreement entered into after  
25 the effective date of this section, that arises out

1 of a transaction with a nonprofit organization  
2 or small business; and

3 “(B) does not include a mortgage loan.

4 “(4) DEBT COLLECTOR.—The term ‘debt col-  
5 lector’ means a creditor and any other person or en-  
6 tity that engages in the collection of debt, including  
7 the Federal Government and a State government, ir-  
8 respective of whether the applicable debt is allegedly  
9 owed to or assigned to such creditor, person, or enti-  
10 ty.

11 “(5) MORTGAGE LOAN.—The term ‘mortgage  
12 loan’ means a covered mortgage loan (as defined  
13 under section 4022 of the CARES Act) and a multi-  
14 family mortgage loan (as defined under section 4023  
15 of the CARES Act).

16 “(6) NONPROFIT ORGANIZATION.—The term  
17 ‘nonprofit organization’ means an organization that  
18 is described in section 501(c)(3) of the Internal Rev-  
19 enue Code of 1986 and that is exempt from taxation  
20 under section 501(a) of such Code.

21 “(7) SMALL BUSINESS.—The term ‘small busi-  
22 ness’ has the meaning given the term ‘small business  
23 concern’ in section 3 of the Small Business Act (15  
24 U.S.C. 632).

25 “(b) PROHIBITIONS.—

1           “(1) IN GENERAL.—Notwithstanding any other  
2           provision of law, no debt collector may, during a cov-  
3           ered period—

4                   “(A) enforce a security interest securing a  
5           debt through repossession, limitation of use, or  
6           foreclosure;

7                   “(B) take or threaten to take any action to  
8           deprive an individual of their liberty as a result  
9           of nonpayment of or nonappearance at any  
10          hearing relating to an obligation owed by a  
11          small business or nonprofit organization;

12                   “(C) collect any debt, by way of garnish-  
13          ment, attachment, assignment, deduction, off-  
14          set, or other seizure, from—

15                          “(i) wages, income, benefits, bank,  
16                  prepaid or other asset accounts; or

17                          “(ii) any assets of, or other amounts  
18                  due to, a small business or nonprofit orga-  
19                  nization;

20                   “(D) commence or continue an action to  
21           evict a small business or nonprofit organization  
22           from real or personal property for nonpayment;

23                   “(E) disconnect or terminate service from  
24           a utility service, including electricity, natural

1 gas, telecommunications or broadband, water,  
2 or sewer, for nonpayment; or

3 “(F) threaten to take any of the foregoing  
4 actions.

5 “(2) RULE OF CONSTRUCTION.—Nothing in  
6 this section may be construed to prohibit a small  
7 business or nonprofit organization from voluntarily  
8 paying, in whole or in part, a debt.

9 “(c) LIMITATION ON FEES AND INTEREST.—After  
10 the expiration of a covered period, a debt collector may  
11 not add to any past due debt any interest on unpaid inter-  
12 est, higher rate of interest triggered by the nonpayment  
13 of the debt, or fee triggered prior to the expiration of the  
14 covered period by the nonpayment of the debt.

15 “(e) VIOLATIONS.—Any person or government entity  
16 that violates this section shall be liable to the applicable  
17 small business or nonprofit organization as provided under  
18 section 813, except that, for purposes of applying section  
19 813—

20 “(1) such person or government entity shall be  
21 deemed a debt collector, as such term is defined for  
22 purposes of section 813; and

23 “(2) such small business or nonprofit organiza-  
24 tion shall be deemed a consumer, as such term is de-  
25 fined for purposes of section 813.

1 “(f) TOLLING.—Any applicable time limitations for  
2 exercising an action prohibited under subsection (b) shall  
3 be tolled during a covered period.

4 “(g) PREDISPUTE ARBITRATION AGREEMENTS.—  
5 Notwithstanding any other provision of law, no predispute  
6 arbitration agreement or predispute joint-action waiver  
7 shall be valid or enforceable with respect to a dispute  
8 brought under this section, including a dispute as to the  
9 applicability of this section, which shall be determined  
10 under Federal law.”.

11 (b) CLERICAL AMENDMENT.—The table of contents  
12 for the Fair Debt Collection Practices Act, as amended  
13 by section 110402, is further amended by inserting after  
14 the item relating to section 812A the following:

“812B. Restrictions on collections of small business and nonprofit debt during  
a national disaster or emergency.”.

15 **SEC. 110602. REPAYMENT PERIOD AND FORBEARANCE FOR**  
16 **SMALL BUSINESSES AND NONPROFIT ORGA-**  
17 **NIZATIONS.**

18 Section 812B of the Fair Debt Collection Practices  
19 Act (15 U.S.C. 1692 et seq.), as added by section 110601,  
20 is amended—

21 (1) by inserting after subsection (c) the fol-  
22 lowing:

1       “(d) REPAYMENT PERIOD.—After the expiration of  
2 a covered period, a debt collector shall comply with the  
3 following:

4           “(1) DEBT ARISING FROM CREDIT WITH A DE-  
5 FINED PAYMENT PERIOD.—For any debt arising  
6 from credit with a defined term, the debt collector  
7 shall extend the time period to repay any past due  
8 balance of the debt by—

9           “(A) 1 payment period for each payment  
10 that a small business or nonprofit organization  
11 missed during the covered period, with the pay-  
12 ments due in the same amounts and at the  
13 same intervals as the pre-existing payment  
14 schedule; and

15           “(B) 1 payment period in addition to the  
16 payment periods described under subparagraph  
17 (A).

18           “(2) DEBT ARISING FROM AN OPEN END CRED-  
19 IT PLAN.—For debt arising from an open end credit  
20 plan, as defined in section 103 of the Truth in  
21 Lending Act (15 U.S.C. 1602), the debt collector  
22 shall allow the small business or nonprofit organiza-  
23 tion to repay the past-due balance in a manner that  
24 does not exceed the amounts permitted by the meth-  
25 ods described in section 171(c) of the Truth in

1 Lending Act (15 U.S.C. 1666i–1(c)) and regulations  
2 promulgated under that section.

3 “(3) DEBT ARISING FROM OTHER CREDIT.—

4 “(A) IN GENERAL.—For debt not de-  
5 scribed under paragraph (2) or (3), the debt  
6 collector shall—

7 “(i) allow the small business or non-  
8 profit organization to repay the past-due  
9 balance of the debt in substantially equal  
10 payments over time; and

11 “(ii) provide the small business or  
12 nonprofit organization with—

13 “(I) for past due balances of  
14 \$2,000 or less, 12 months to repay, or  
15 such longer period as the debt col-  
16 lector may allow;

17 “(II) for past due balances be-  
18 tween \$2,001 and \$5,000, 24 months  
19 to repay, or such longer period as the  
20 debt collector may allow; or

21 “(III) for past due balances  
22 greater than \$5,000, 36 months to  
23 repay, or such longer period as the  
24 debt collector may allow.

1           “(B) ADDITIONAL PROTECTIONS.—The Di-  
2           rector of the Bureau may issue rules to provide  
3           greater repayment protections to small busi-  
4           nesses and nonprofit organizations with debts  
5           described under subparagraph (A).

6           “(C) RELATION TO STATE LAW.—This  
7           paragraph shall not preempt any State law that  
8           provides for greater small business or nonprofit  
9           organization protections than this paragraph.”;  
10          and  
11          (2) by adding at the end the following:

12          “(h) FORBEARANCE FOR AFFECTED SMALL BUSI-  
13          NESSES AND NONPROFIT ORGANIZATIONS.—

14               “(1) FORBEARANCE PROGRAM.—Each debt col-  
15          lector that makes use of the credit facility described  
16          in paragraph (4) shall establish a forbearance pro-  
17          gram for debts available during the covered period.

18               “(2) AUTOMATIC GRANT OF FORBEARANCE  
19          UPON REQUEST.—Under a forbearance program re-  
20          quired under paragraph (1), upon the request of a  
21          small business or nonprofit organization experi-  
22          encing a financial hardship due, directly or indi-  
23          rectly, to COVID–19, the debt collector shall grant  
24          a forbearance on payment of debt for such time as  
25          needed until the end of the covered period, with no



1 additional documentation required other than the  
2 small business or nonprofit organization’s attestation  
3 to a financial hardship caused by COVID–19 and  
4 with no fees, penalties, or interest (beyond the  
5 amounts scheduled or calculated as if the borrower  
6 made all contractual payments on time and in full  
7 under the terms of the loan contract) charged to the  
8 borrower in connection with the forbearance.

9 “(3) EXCEPTION FOR CERTAIN MORTGAGE  
10 LOANS SUBJECT TO THE CARES ACT.—This sub-  
11 section shall not apply to a mortgage loan subject to  
12 section 4022 or 4023 of the CARES Act.”.

13 **SEC. 110603. CREDIT FACILITY.**

14 Section 812B(h) of the Fair Debt Collection Prac-  
15 tices Act (15 U.S.C. 1692 et seq.), as added by section  
16 110602, is amended by adding at the end the following:

17 “(4) CREDIT FACILITY.—The Board of Gov-  
18 ernors of the Federal Reserve System shall—

19 “(A) establish a facility, using amounts  
20 made available under section 4003(b)(4) of the  
21 CARES Act (15 U.S.C. 9042(b)(4)), to make  
22 long-term, low-cost loans to debt collectors to  
23 temporarily compensate such debt collectors for  
24 documented financial losses caused by forbear-

1           ance of debt payments under this subsection;  
2           and  
3           “(B) defer debt collectors’ required pay-  
4           ments on such loans until after small businesses  
5           or nonprofit organizations’ debt payments re-  
6           sume.”.

7   **SEC. 110604. MAIN STREET LENDING PROGRAM REQUIRE-**  
8           **MENTS.**

9           (a) IN GENERAL.—Section 4003(c)(3)(D)(ii) of the  
10   CARES Act (15 U.S.C. 9042(c)(3)(D)(ii)) is amended—  
11           (1) by striking “Nothing in this subparagraph  
12           shall limit the discretion of the Board of Governors  
13           of the Federal Reserve System to” and inserting the  
14           following:

15                           “(I) IN GENERAL.—The Board of  
16                           Governors of the Federal Reserve Sys-  
17                           tem shall”; and

18           (2) by adding at the end the following:

19                           “(II) REQUIREMENTS.—In car-  
20                           rying out subclause (I), the Board of  
21                           Governors of the Federal Reserve Sys-  
22                           tem—

23                                   “(aa) shall make non-profit  
24                                   organizations eligible for any pro-

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1           gram or facility established under  
2           such subclause;

3                   “(bb) shall create a low-cost  
4           loan option tailored to the unique  
5           needs of non-profit organizations,  
6           including the ability to defer pay-  
7           ments and, solely for non-profit  
8           organizations that are ineligible  
9           to receive a covered loan under  
10          section 7(a)(36) of the Small  
11          Business Act (15 U.S.C.  
12          636(a)(36)) and that predomi-  
13          nantly serve low-income commu-  
14          nities, as determined by the Fed-  
15          eral Reserve, have the loans for-  
16          given by the Department of the  
17          Treasury for a similar purpose to  
18          maintain payroll and operations  
19          provided under the Paycheck  
20          Protection Program, notwith-  
21          standing section 4003(d)(3) of  
22          the CARES Act;”.

23          (b) DEADLINE.—Not later than the end of the 5-day  
24          period beginning on the date of enactment of this Act, the  
25          Board of Governors of the Federal Reserve System shall

1 issue such rules or take such other actions as may be nec-  
2 essary to implement the requirements made by the amend-  
3 ments made by this section.

4 **SEC. 110605. OPTIONS FOR SMALL BUSINESSES AND NON-**  
5 **PROFITS UNDER THE MAIN STREET LENDING**  
6 **PROGRAM.**

7 (a) IN GENERAL.—Section (c)(3)(D)(ii)(II) of the  
8 CARES Act (15 U.S.C. 9042(e)(3)(D)(ii)(II)), as added  
9 by section 110604, is further amended by adding at the  
10 end the following:

11 “(cc) shall provide at least  
12 one low-cost loan option that  
13 small businesses and small non-  
14 profits are eligible for that does  
15 not have a minimum loan size;”.

16 (b) DEADLINE.—Not later than the end of the 5-day  
17 period beginning on the date of enactment of this Act, the  
18 Board of Governors of the Federal Reserve System shall  
19 issue such rules or take such other actions as may be nec-  
20 essary to implement the requirements made by the amend-  
21 ments made by this section.

22 **SEC. 110606. SAFE BANKING.**

23 (a) SHORT TITLE; PURPOSE.—

1           (1) SHORT TITLE.—This section may be cited  
2           as the “Secure And Fair Enforcement Banking Act  
3           of 2020” or the “SAFE Banking Act of 2020”.

4           (2) PURPOSE.—The purpose of this section is  
5           to increase public safety by ensuring access to finan-  
6           cial services to cannabis-related legitimate businesses  
7           and service providers and reducing the amount of  
8           cash at such businesses.

9           (b) SAFE HARBOR FOR DEPOSITORY INSTITU-  
10          TIONS.—

11           (1) IN GENERAL.—A Federal banking regulator  
12          may not—

13                   (A) terminate or limit the deposit in-  
14                   surance or share insurance of a depository  
15                   institution under the Federal Deposit In-  
16                   surance Act (12 U.S.C. 1811 et seq.), the  
17                   Federal Credit Union Act (12 U.S.C. 1751  
18                   et seq.), or take any other adverse action  
19                   against a depository institution under sec-  
20                   tion 8 of the Federal Deposit Insurance  
21                   Act (12 U.S.C. 1818) solely because the  
22                   depository institution provides or has pro-  
23                   vided financial services to a cannabis-re-  
24                   lated legitimate business or service pro-  
25                   vider;

1 (B) prohibit, penalize, or otherwise  
2 discourage a depository institution from  
3 providing financial services to a cannabis-  
4 related legitimate business or service pro-  
5 vider or to a State, political subdivision of  
6 a State, or Indian Tribe that exercises ju-  
7 risdiction over cannabis-related legitimate  
8 businesses;

9 (C) recommend, incentivize, or en-  
10 courage a depository institution not to  
11 offer financial services to an account hold-  
12 er, or to downgrade or cancel the financial  
13 services offered to an account holder solely  
14 because—

15 (i) the account holder is a can-  
16 nabis-related legitimate business or  
17 service provider, or is an employee,  
18 owner, or operator of a cannabis-re-  
19 lated legitimate business or service  
20 provider;

21 (ii) the account holder later be-  
22 comes an employee, owner, or oper-  
23 ator of a cannabis-related legitimate  
24 business or service provider; or

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1 (iii) the depository institution  
2 was not aware that the account holder  
3 is an employee, owner, or operator of  
4 a cannabis-related legitimate business  
5 or service provider;

6 (D) take any adverse or corrective su-  
7 pervisory action on a loan made to—

8 (i) a cannabis-related legitimate  
9 business or service provider, solely be-  
10 cause the business is a cannabis-re-  
11 lated legitimate business or service  
12 provider;

13 (ii) an employee, owner, or oper-  
14 ator of a cannabis-related legitimate  
15 business or service provider, solely be-  
16 cause the employee, owner, or oper-  
17 ator is employed by, owns, or operates  
18 a cannabis-related legitimate business  
19 or service provider, as applicable; or

20 (iii) an owner or operator of real  
21 estate or equipment that is leased to  
22 a cannabis-related legitimate business  
23 or service provider, solely because the  
24 owner or operator of the real estate or  
25 equipment leased the equipment or

1 real estate to a cannabis-related legiti-  
2 mate business or service provider, as  
3 applicable; or

4 (E) prohibit or penalize a depository  
5 institution (or entity performing a financial  
6 service for or in association with a deposi-  
7 tory institution) for, or otherwise discour-  
8 age a depository institution (or entity per-  
9 forming a financial service for or in asso-  
10 ciation with a depository institution) from,  
11 engaging in a financial service for a can-  
12 nabis-related legitimate business or service  
13 provider.

14 (2) SAFE HARBOR APPLICABLE TO DE NOVO IN-  
15 STITUTIONS.—Paragraph (1) shall apply to an insti-  
16 tution applying for a depository institution charter  
17 to the same extent as such subsection applies to a  
18 depository institution.

19 (c) PROTECTIONS FOR ANCILLARY BUSINESSES.—  
20 For the purposes of sections 1956 and 1957 of title 18,  
21 United States Code, and all other provisions of Federal  
22 law, the proceeds from a transaction involving activities  
23 of a cannabis-related legitimate business or service pro-  
24 vider shall not be considered proceeds from an unlawful  
25 activity solely because—



1 (1) the transaction involves proceeds from a  
2 cannabis-related legitimate business or service pro-  
3 vider; or

4 (2) the transaction involves proceeds from—

5 (A) cannabis-related activities described in  
6 subsection (n)(4)(B) conducted by a cannabis-  
7 related legitimate business; or

8 (B) activities described in subsection  
9 (n)(13)(A) conducted by a service provider.

10 (d) PROTECTIONS UNDER FEDERAL LAW.—

11 (1) IN GENERAL.—With respect to providing a  
12 financial service to a cannabis-related legitimate  
13 business or service provider within a State, political  
14 subdivision of a State, or Indian country that allows  
15 the cultivation, production, manufacture, sale, trans-  
16 portation, display, dispensing, distribution, or pur-  
17 chase of cannabis pursuant to a law or regulation of  
18 such State, political subdivision, or Indian Tribe  
19 that has jurisdiction over the Indian country, as ap-  
20 plicable, a depository institution, entity performing a  
21 financial service for or in association with a deposi-  
22 tory institution, or insurer that provides a financial  
23 service to a cannabis-related legitimate business or  
24 service provider, and the officers, directors, and em-  
25 ployees of that depository institution, entity, or in-

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1 surer may not be held liable pursuant to any Federal  
2 law or regulation—

3 (A) solely for providing such a financial  
4 service; or

5 (B) for further investing any income de-  
6 rived from such a financial service.

7 (2) PROTECTIONS FOR FEDERAL RESERVE  
8 BANKS AND FEDERAL HOME LOAN BANKS.—With  
9 respect to providing a service to a depository institu-  
10 tion that provides a financial service to a cannabis-  
11 related legitimate business or service provider (where  
12 such financial service is provided within a State, po-  
13 litical subdivision of a State, or Indian country that  
14 allows the cultivation, production, manufacture, sale,  
15 transportation, display, dispensing, distribution, or  
16 purchase of cannabis pursuant to a law or regulation  
17 of such State, political subdivision, or Indian Tribe  
18 that has jurisdiction over the Indian country, as ap-  
19 plicable), a Federal reserve bank or Federal Home  
20 Loan Bank, and the officers, directors, and employ-  
21 ees of the Federal reserve bank or Federal Home  
22 Loan Bank, may not be held liable pursuant to any  
23 Federal law or regulation—

24 (A) solely for providing such a service; or

1 (B) for further investing any income de-  
2 rived from such a service.

3 (3) PROTECTIONS FOR INSURERS.—With re-  
4 spect to engaging in the business of insurance within  
5 a State, political subdivision of a State, or Indian  
6 country that allows the cultivation, production, man-  
7 ufacture, sale, transportation, display, dispensing,  
8 distribution, or purchase of cannabis pursuant to a  
9 law or regulation of such State, political subdivision,  
10 or Indian Tribe that has jurisdiction over the Indian  
11 country, as applicable, an insurer that engages in  
12 the business of insurance with a cannabis-related le-  
13 gitimate business or service provider or who other-  
14 wise engages with a person in a transaction permis-  
15 sible under State law related to cannabis, and the  
16 officers, directors, and employees of that insurer  
17 may not be held liable pursuant to any Federal law  
18 or regulation—

19 (A) solely for engaging in the business of  
20 insurance; or

21 (B) for further investing any income de-  
22 rived from the business of insurance.

23 (4) FORFEITURE.—

24 (A) DEPOSITORY INSTITUTIONS.—A depos-  
25 itory institution that has a legal interest in the

1 collateral for a loan or another financial service  
2 provided to an owner, employee, or operator of  
3 a cannabis-related legitimate business or service  
4 provider, or to an owner or operator of real es-  
5 tate or equipment that is leased or sold to a  
6 cannabis-related legitimate business or service  
7 provider, shall not be subject to criminal, civil,  
8 or administrative forfeiture of that legal inter-  
9 est pursuant to any Federal law for providing  
10 such loan or other financial service.

11 (B) FEDERAL RESERVE BANKS AND FED-  
12 ERAL HOME LOAN BANKS.—A Federal reserve  
13 bank or Federal Home Loan Bank that has a  
14 legal interest in the collateral for a loan or an-  
15 other financial service provided to a depository  
16 institution that provides a financial service to a  
17 cannabis-related legitimate business or service  
18 provider, or to an owner or operator of real es-  
19 tate or equipment that is leased or sold to a  
20 cannabis-related legitimate business or service  
21 provider, shall not be subject to criminal, civil,  
22 or administrative forfeiture of that legal inter-  
23 est pursuant to any Federal law for providing  
24 such loan or other financial service.

25 (e) RULES OF CONSTRUCTION.—

1 (1) NO REQUIREMENT TO PROVIDE FINANCIAL  
2 SERVICES.—Nothing in this section shall require a  
3 depository institution, entity performing a financial  
4 service for or in association with a depository insti-  
5 tution, or insurer to provide financial services to a  
6 cannabis-related legitimate business, service pro-  
7 vider, or any other business.

8 (2) GENERAL EXAMINATION, SUPERVISORY,  
9 AND ENFORCEMENT AUTHORITY.—Nothing in this  
10 section may be construed in any way as limiting or  
11 otherwise restricting the general examination, super-  
12 visory, and enforcement authority of the Federal  
13 banking regulators, provided that the basis for any  
14 supervisory or enforcement action is not the provi-  
15 sion of financial services to a cannabis-related legiti-  
16 mate business or service provider.

17 (f) REQUIREMENTS FOR FILING SUSPICIOUS ACTIV-  
18 ITY REPORTS.—Section 5318(g) of title 31, United States  
19 Code, is amended by adding at the end the following:

20 “(5) REQUIREMENTS FOR CANNABIS-RELATED  
21 LEGITIMATE BUSINESSES.—

22 “(A) IN GENERAL.—With respect to a fi-  
23 nancial institution or any director, officer, em-  
24 ployee, or agent of a financial institution that  
25 reports a suspicious transaction pursuant to

1 this subsection, if the reason for the report re-  
2 lates to a cannabis-related legitimate business  
3 or service provider, the report shall comply with  
4 appropriate guidance issued by the Financial  
5 Crimes Enforcement Network. The Secretary  
6 shall ensure that the guidance is consistent with  
7 the purpose and intent of the SAFE Banking  
8 Act of 2020 and does not significantly inhibit  
9 the provision of financial services to a cannabis-  
10 related legitimate business or service provider in  
11 a State, political subdivision of a State, or In-  
12 dian country that has allowed the cultivation,  
13 production, manufacture, transportation, dis-  
14 play, dispensing, distribution, sale, or purchase  
15 of cannabis pursuant to law or regulation of  
16 such State, political subdivision, or Indian  
17 Tribe that has jurisdiction over the Indian  
18 country.

19 “(B) DEFINITIONS.—For purposes of this  
20 paragraph:

21 “(i) CANNABIS.—The term ‘cannabis’  
22 has the meaning given the term ‘mari-  
23 huana’ in section 102 of the Controlled  
24 Substances Act (21 U.S.C. 802).

1 “(ii) CANNABIS-RELATED LEGITIMATE  
2 BUSINESS.—The term ‘cannabis-related le-  
3 gitimate business’ has the meaning given  
4 that term in subsection (n) of the SAFE  
5 Banking Act of 2020.

6 “(iii) INDIAN COUNTRY.—The term  
7 ‘Indian country’ has the meaning given  
8 that term in section 1151 of title 18.

9 “(iv) INDIAN TRIBE.—The term ‘In-  
10 dian Tribe’ has the meaning given that  
11 term in section 102 of the Federally Rec-  
12 ognized Indian Tribe List Act of 1994 (25  
13 U.S.C. 479a).

14 “(v) FINANCIAL SERVICE.—The term  
15 ‘financial service’ has the meaning given  
16 that term in subsection (n) of the SAFE  
17 Banking Act of 2020.

18 “(vi) SERVICE PROVIDER.—The term  
19 ‘service provider’ has the meaning given  
20 that term in subsection (n) of the SAFE  
21 Banking Act of 2020.

22 “(vii) STATE.—The term ‘State’  
23 means each of the several States, the Dis-  
24 trict of Columbia, Puerto Rico, and any

1                   territory or possession of the United  
2                   States.”.

3           (g) GUIDANCE AND EXAMINATION PROCEDURES.—

4 Not later than 180 days after the date of enactment of  
5 this Act, the Financial Institutions Examination Council  
6 shall develop uniform guidance and examination proce-  
7 dures for depository institutions that provide financial  
8 services to cannabis-related legitimate businesses and  
9 service providers.

10          (h) ANNUAL DIVERSITY AND INCLUSION REPORT.—

11 The Federal banking regulators shall issue an annual re-  
12 port to Congress containing—

13           (1) information and data on the availability of  
14           access to financial services for minority-owned and  
15           women-owned cannabis-related legitimate businesses;  
16           and

17           (2) any regulatory or legislative recommenda-  
18           tions for expanding access to financial services for  
19           minority-owned and women-owned cannabis-related  
20           legitimate businesses.

21          (i) GAO STUDY ON DIVERSITY AND INCLUSION.—

22           (1) STUDY.—The Comptroller General of the  
23           United States shall carry out a study on the barriers  
24           to marketplace entry, including in the licensing proc-  
25           ess, and the access to financial services for potential



1 and existing minority-owned and women-owned can-  
2 nabis-related legitimate businesses.

3 (2) REPORT.—The Comptroller General shall  
4 issue a report to the Congress—

5 (A) containing all findings and determina-  
6 tions made in carrying out the study required  
7 under paragraph (1); and

8 (B) containing any regulatory or legislative  
9 recommendations for removing barriers to mar-  
10 ketplace entry, including in the licensing proc-  
11 ess, and expanding access to financial services  
12 for potential and existing minority-owned and  
13 women-owned cannabis-related legitimate busi-  
14 nesses.

15 (j) GAO STUDY ON EFFECTIVENESS OF CERTAIN  
16 REPORTS ON FINDING CERTAIN PERSONS.—Not later  
17 than 2 years after the date of the enactment of this Act,  
18 the Comptroller General of the United States shall carry  
19 out a study on the effectiveness of reports on suspicious  
20 transactions filed pursuant to section 5318(g) of title 31,  
21 United States Code, at finding individuals or organiza-  
22 tions suspected or known to be engaged with transnational  
23 criminal organizations and whether any such engagement  
24 exists in a State, political subdivision, or Indian Tribe that  
25 has jurisdiction over Indian country that allows the cul-

1 tivation, production, manufacture, sale, transportation,  
2 display, dispensing, distribution, or purchase of cannabis.  
3 The study shall examine reports on suspicious trans-  
4 actions as follows:

5 (1) During the period of 2014 until the date of  
6 the enactment of this Act, reports relating to mari-  
7 juana-related businesses.

8 (2) During the 1-year period after date of the  
9 enactment of this Act, reports relating to cannabis-  
10 related legitimate businesses.

11 (k) BANKING SERVICES FOR HEMP BUSINESSES.—

12 (1) FINDINGS.—The Congress finds that—

13 (A) the Agriculture Improvement Act of  
14 2018 (Public Law 115–334) legalized hemp by  
15 removing it from the definition of “marihuana”  
16 under the Controlled Substances Act;

17 (B) despite the legalization of hemp, some  
18 hemp businesses (including producers, manufac-  
19 turers, and retailers) continue to have difficulty  
20 gaining access to banking products and serv-  
21 ices; and

22 (C) businesses involved in the sale of  
23 hemp-derived cannabidiol (“CBD”) products  
24 are particularly affected, due to confusion about  
25 their legal status.

1           (2) FEDERAL BANKING REGULATOR HEMP  
2       BANKING GUIDANCE.—Not later than the end of the  
3       90-day period beginning on the date of enactment of  
4       this Act, the Federal banking regulators shall jointly  
5       issue guidance to financial institutions—

6           (A) confirming the legality of hemp, hemp-  
7       derived CBD products, and other hemp-derived  
8       cannabinoid products, and the legality of engag-  
9       ing in financial services with businesses selling  
10      hemp, hemp-derived CBD products, and other  
11      hemp-derived cannabinoid products, after the  
12      enactment of the Agriculture Improvement Act  
13      of 2018; and

14          (B) to provide recommended best practices  
15      for financial institutions to follow when pro-  
16      viding financial services and merchant proc-  
17      essing services to businesses involved in the sale  
18      of hemp, hemp-derived CBD products, and  
19      other hemp-derived cannabinoid products.

20          (3) FINANCIAL INSTITUTION DEFINED.—In this  
21      section, the term “financial institution” means any  
22      person providing financial services.

23          (1) APPLICATION OF SAFE HARBORS TO HEMP AND  
24      CBD PRODUCTS.—

1 (1) IN GENERAL.—Except as provided under  
2 paragraph (2), the provisions of this section (other  
3 than subsections (f) and (j)) shall apply to hemp (in-  
4 cluding hemp-derived cannabidiol and other hemp-  
5 derived cannabinoid products) in the same manner  
6 as such provisions apply to cannabis.

7 (2) RULE OF APPLICATION.—In applying the  
8 provisions of this section described under paragraph  
9 (1) to hemp, the definition of “cannabis-related le-  
10 gitimate business” shall be treated as excluding any  
11 requirement to engage in activity pursuant to the  
12 law of a State or political subdivision thereof.

13 (3) HEMP DEFINED.—In this subsection, the  
14 term “hemp” has the meaning given that term  
15 under section 297A of the Agricultural Marketing  
16 Act of 1946 (7 U.S.C. 1639o).

17 (m) REQUIREMENTS FOR DEPOSIT ACCOUNT TERMI-  
18 NATION REQUESTS AND ORDERS.—

19 (1) TERMINATION REQUESTS OR ORDERS MUST  
20 BE VALID.—

21 (A) IN GENERAL.—An appropriate Federal  
22 banking agency may not formally or informally  
23 request or order a depository institution to ter-  
24 minate a specific customer account or group of  
25 customer accounts or to otherwise restrict or

1 discourage a depository institution from enter-  
2 ing into or maintaining a banking relationship  
3 with a specific customer or group of customers  
4 unless—

5 (i) the agency has a valid reason for  
6 such request or order; and

7 (ii) such reason is not based solely on  
8 reputation risk.

9 (B) TREATMENT OF NATIONAL SECURITY  
10 THREATS.—If an appropriate Federal banking  
11 agency believes a specific customer or group of  
12 customers is, or is acting as a conduit for, an  
13 entity which—

14 (i) poses a threat to national security;

15 (ii) is involved in terrorist financing;

16 (iii) is an agency of the Government  
17 of Iran, North Korea, Syria, or any coun-  
18 try listed from time to time on the State  
19 Sponsors of Terrorism list;

20 (iv) is located in, or is subject to the  
21 jurisdiction of, any country specified in  
22 clause (iii); or

23 (v) does business with any entity de-  
24 scribed in clause (iii) or (iv), unless the ap-  
25 propriate Federal banking agency deter-

1 mines that the customer or group of cus-  
2 tomers has used due diligence to avoid  
3 doing business with any entity described in  
4 clause (iii) or (iv),  
5 such belief shall satisfy the requirement under  
6 subparagraph (A).

7 (2) NOTICE REQUIREMENT.—

8 (A) IN GENERAL.—If an appropriate Fed-  
9 eral banking agency formally or informally re-  
10 quests or orders a depository institution to ter-  
11 minate a specific customer account or a group  
12 of customer accounts, the agency shall—

13 (i) provide such request or order to  
14 the institution in writing; and

15 (ii) accompany such request or order  
16 with a written justification for why such  
17 termination is needed, including any spe-  
18 cific laws or regulations the agency believes  
19 are being violated by the customer or  
20 group of customers, if any.

21 (B) JUSTIFICATION REQUIREMENT.—A  
22 justification described under subparagraph  
23 (A)(ii) may not be based solely on the reputa-  
24 tion risk to the depository institution.

25 (3) CUSTOMER NOTICE.—

1           (A) NOTICE REQUIRED.—Except as pro-  
2           vided under subparagraph (B) or as otherwise  
3           prohibited from being disclosed by law, if an ap-  
4           propriate Federal banking agency orders a de-  
5           pository institution to terminate a specific cus-  
6           tomer account or a group of customer accounts,  
7           the depository institution shall inform the spe-  
8           cific customer or group of customers of the jus-  
9           tification for the customer's account termi-  
10          nation described under paragraph (2).

11          (B) NOTICE PROHIBITED.—

12           (i) NOTICE PROHIBITED IN CASES OF  
13          NATIONAL SECURITY.—If an appropriate  
14          Federal banking agency requests or orders  
15          a depository institution to terminate a spe-  
16          cific customer account or a group of cus-  
17          tomer accounts based on a belief that the  
18          customer or customers pose a threat to na-  
19          tional security, or are otherwise described  
20          under subsection (a)(2), neither the deposi-  
21          tory institution nor the appropriate Fed-  
22          eral banking agency may inform the cus-  
23          tomer or customers of the justification for  
24          the customer's account termination.

1 (ii) NOTICE PROHIBITED IN OTHER  
2 CASES.—If an appropriate Federal banking  
3 agency determines that the notice required  
4 under subparagraph (A) may interfere  
5 with an authorized criminal investigation,  
6 neither the depository institution nor the  
7 appropriate Federal banking agency may  
8 inform the specific customer or group of  
9 customers of the justification for the cus-  
10 tomer's account termination.

11 (4) REPORTING REQUIREMENT.—Each appro-  
12 priate Federal banking agency shall issue an annual  
13 report to the Congress stating—

14 (A) the aggregate number of specific cus-  
15 tomer accounts that the agency requested or or-  
16 dered a depository institution to terminate dur-  
17 ing the previous year; and

18 (B) the legal authority on which the agen-  
19 cy relied in making such requests and orders  
20 and the frequency on which the agency relied  
21 on each such authority.

22 (5) DEFINITIONS.—For purposes of this sub-  
23 section:



1 (A) APPROPRIATE FEDERAL BANKING  
2 AGENCY.—The term “appropriate Federal  
3 banking agency” means—

4 (i) the appropriate Federal banking  
5 agency, as defined under section 3 of the  
6 Federal Deposit Insurance Act (12 U.S.C.  
7 1813); and

8 (ii) the National Credit Union Admin-  
9 istration, in the case of an insured credit  
10 union.

11 (B) DEPOSITORY INSTITUTION.—The term  
12 “depository institution” means—

13 (i) a depository institution, as defined  
14 under section 3 of the Federal Deposit In-  
15 surance Act (12 U.S.C. 1813); and

16 (ii) an insured credit union.

17 (n) DEFINITIONS.—In this Act:

18 (1) BUSINESS OF INSURANCE.—The term  
19 “business of insurance” has the meaning given such  
20 term in section 1002 of the Dodd-Frank Wall Street  
21 Reform and Consumer Protection Act (12 U.S.C.  
22 5481).

23 (2) CANNABIS.—The term “cannabis” has the  
24 meaning given the term “marihuana” in section 102  
25 of the Controlled Substances Act (21 U.S.C. 802).

1 (3) CANNABIS PRODUCT.—The term “cannabis  
2 product” means any article which contains cannabis,  
3 including an article which is a concentrate, an edi-  
4 ble, a tincture, a cannabis-infused product, or a top-  
5 ical.

6 (4) CANNABIS-RELATED LEGITIMATE BUSI-  
7 NESS.—The term “cannabis-related legitimate busi-  
8 ness” means a manufacturer, producer, or any per-  
9 son or company that—

10 (A) engages in any activity described in  
11 subparagraph (B) pursuant to a law established  
12 by a State or a political subdivision of a State,  
13 as determined by such State or political subdivi-  
14 sion; and

15 (B) participates in any business or orga-  
16 nized activity that involves handling cannabis or  
17 cannabis products, including cultivating, pro-  
18 ducing, manufacturing, selling, transporting,  
19 displaying, dispensing, distributing, or pur-  
20 chasing cannabis or cannabis products.

21 (5) DEPOSITORY INSTITUTION.—The term “de-  
22 pository institution” means—

23 (A) a depository institution as defined in  
24 section 3(c) of the Federal Deposit Insurance  
25 Act (12 U.S.C. 1813(c));

1 (B) a Federal credit union as defined in  
2 section 101 of the Federal Credit Union Act  
3 (12 U.S.C. 1752); or

4 (C) a State credit union as defined in sec-  
5 tion 101 of the Federal Credit Union Act (12  
6 U.S.C. 1752).

7 (6) FEDERAL BANKING REGULATOR.—The  
8 term “Federal banking regulator” means each of the  
9 Board of Governors of the Federal Reserve System,  
10 the Bureau of Consumer Financial Protection, the  
11 Federal Deposit Insurance Corporation, the Federal  
12 Housing Finance Agency, the Financial Crimes En-  
13 forcement Network, the Office of Foreign Asset  
14 Control, the Office of the Comptroller of the Cur-  
15 rency, the National Credit Union Administration,  
16 the Department of the Treasury, or any Federal  
17 agency or department that regulates banking or fi-  
18 nancial services, as determined by the Secretary of  
19 the Treasury.

20 (7) FINANCIAL SERVICE.—The term “financial  
21 service”—

22 (A) means a financial product or service,  
23 as defined in section 1002 of the Dodd-Frank  
24 Wall Street Reform and Consumer Protection  
25 Act (12 U.S.C. 5481);

1 (B) includes the business of insurance;

2 (C) includes, whether performed directly or  
3 indirectly, the authorizing, processing, clearing,  
4 settling, billing, transferring for deposit, trans-  
5 mitting, delivering, instructing to be delivered,  
6 reconciling, collecting, or otherwise effectuating  
7 or facilitating of payments or funds, where such  
8 payments or funds are made or transferred by  
9 any means, including by the use of credit cards,  
10 debit cards, other payment cards, or other ac-  
11 cess devices, accounts, original or substitute  
12 checks, or electronic funds transfers;

13 (D) includes acting as a money transmit-  
14 ting business which directly or indirectly makes  
15 use of a depository institution in connection  
16 with effectuating or facilitating a payment for  
17 a cannabis-related legitimate business or service  
18 provider in compliance with section 5330 of  
19 title 31, United States Code, and any applicable  
20 State law; and

21 (E) includes acting as an armored car  
22 service for processing and depositing with a de-  
23 pository institution or a Federal reserve bank  
24 with respect to any monetary instruments (as

1 defined under section 1956(e)(5) of title 18,  
2 United States Code.

3 (8) INDIAN COUNTRY.—The term “Indian coun-  
4 try” has the meaning given that term in section  
5 1151 of title 18.

6 (9) INDIAN TRIBE.—The term “Indian Tribe”  
7 has the meaning given that term in section 102 of  
8 the Federally Recognized Indian Tribe List Act of  
9 1994 (25 U.S.C. 479a).

10 (10) INSURER.—The term “insurer” has the  
11 meaning given that term under section 313(r) of  
12 title 31, United States Code.

13 (11) MANUFACTURER.—The term “manufac-  
14 turer” means a person who manufactures, com-  
15 pounds, converts, processes, prepares, or packages  
16 cannabis or cannabis products.

17 (12) PRODUCER.—The term “producer” means  
18 a person who plants, cultivates, harvests, or in any  
19 way facilitates the natural growth of cannabis.

20 (13) SERVICE PROVIDER.—The term “service  
21 provider”—

22 (A) means a business, organization, or  
23 other person that—

24 (i) sells goods or services to a can-  
25 nabis-related legitimate business; or

1 (ii) provides any business services, in-  
2 cluding the sale or lease of real or any  
3 other property, legal or other licensed serv-  
4 ices, or any other ancillary service, relating  
5 to cannabis; and

6 (B) does not include a business, organiza-  
7 tion, or other person that participates in any  
8 business or organized activity that involves han-  
9 dling cannabis or cannabis products, including  
10 cultivating, producing, manufacturing, selling,  
11 transporting, displaying, dispensing, distrib-  
12 uting, or purchasing cannabis or cannabis prod-  
13 ucts.

14 (14) STATE.—The term “State” means each of  
15 the several States, the District of Columbia, Puerto  
16 Rico, and any territory or possession of the United  
17 States.

18 (o) DISCRETIONARY SURPLUS FUNDS.—Section  
19 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C.  
20 289(a)(3)(A)) is amended by striking “\$6,825,000,000”  
21 and inserting “\$6,821,000,000”.

1 TITLE VII—EMPOWERING COMMUNITY

2 FINANCIAL INSTITUTIONS

3 **SEC. 110701. COMMUNITY DEVELOPMENT FINANCIAL INSTI-**  
4 **TUTIONS FUND.**

5 (a) IN GENERAL.—There is authorized to be appro-  
6 priated to the Community Development Financial Institu-  
7 tions Fund, out of amounts in the general fund not other-  
8 wise appropriated, \$2,000,000,000 for fiscal year 2020,  
9 for providing financial assistance and technical assistance  
10 under subparagraphs (A) and (B) of section 108(a)(1) of  
11 the Community Development Banking and Financial In-  
12 stitutions Act of 1994 (12 U.S.C. 4707(a)(1)), except that  
13 subsections (d) and (e) of such section 108 shall not apply  
14 to the provision of such assistance, for the Bank Enter-  
15 prise Award program, and for financial assistance, tech-  
16 nical assistance, training, and outreach programs designed  
17 to benefit Native American, Native Hawaiian, and Alaska  
18 Native communities and provided primarily through quali-  
19 fied community development lender organizations with ex-  
20 perience and expertise in community development banking  
21 and lending in Indian country, Native American organiza-  
22 tions, Tribes and Tribal organizations, and other suitable  
23 providers. Of the amount appropriated pursuant to this  
24 heading, not less than \$800,000,000 shall be for providing  
25 financial assistance, technical assistance, awards, training,

1 and outreach programs described above to recipients that  
2 are minority lending institutions.

3 (b) DEFINITIONS.—For purposes of this section:

4 (1) MINORITY LENDING INSTITUTION.—The  
5 term “minority lending institution” means any de-  
6 pository institution, loan fund, or other financial in-  
7 stitution that—

8 (A) if a privately-owned institution, 51 per-  
9 cent is owned by one or more socially and eco-  
10 nomically disadvantaged individuals;

11 (B) if publicly-owned, 51 percent of the  
12 stock is owned by one or more socially and eco-  
13 nomically disadvantaged individuals; and

14 (C) in the case of a mutual institution,  
15 where the majority of the Board of Directors,  
16 account holders, and the community which it  
17 services is predominantly minority.

18 (2) MINORITY.—The term “minority” means  
19 any black American, Native American, Hispanic  
20 American, or Asian American.

21 **SEC. 110702. ENSURING DIVERSITY IN COMMUNITY BANK-**  
22 **ING.**

23 (a) SHORT TITLE.—This section may be cited as the  
24 “Ensuring Diversity in Community Banking Act of  
25 2020”.



1 (b) COMMUNITY DEVELOPMENT FINANCIAL INSTI-  
2 TUTION.—In this section, the term “community develop-  
3 ment financial institution” has the meaning given under  
4 section 103 of the Riegle Community Development and  
5 Regulatory Improvement Act of 1994 (12 U.S.C. 4702).

6 (c) MINORITY DEPOSITORY INSTITUTION.—In this  
7 section, the term “minority depository institution” has the  
8 meaning given under section 308 of the Financial Institu-  
9 tions Reform, Recovery, and Enforcement Act of 1989 (12  
10 U.S.C. 1463 note), as amended by this section.

11 (d) INCLUSION OF WOMEN’S BANKS IN THE DEFINI-  
12 TION OF MINORITY DEPOSITORY INSTITUTION.—Section  
13 308(b)(1) of the Financial Institutions Reform, Recovery,  
14 and Enforcement Act of 1989 (12 U.S.C. 1463 note) is  
15 amended—

16 (1) by redesignating subparagraphs (A), (B),  
17 and (C) as clauses (i), (ii), and (iii), respectively;

18 (2) by striking “means any” and inserting the  
19 following: “means—

20 “(A) any”; and

21 (3) in clause (iii) (as so redesignated), by strik-  
22 ing the period at the end and inserting “; or”; and

23 (4) by inserting at the end the following new  
24 subparagraph:

1           “(B) any bank described in clause (i), (ii),  
2           or (iii) of section 19(b)(1)(A) of the Federal  
3           Reserve Act—

4                   “(i) more than 50 percent of the out-  
5                   standing shares of which are held by 1 or  
6                   more women; and

7                   “(ii) the majority of the directors on  
8                   the board of directors of which are  
9                   women.”.

10       (e) ESTABLISHMENT OF IMPACT BANK DESIGNA-  
11       TION.—

12           (1) IN GENERAL.—Each appropriate Federal  
13       banking agency shall establish a program under  
14       which a depository institution with total consolidated  
15       assets of less than \$10,000,000,000 may elect to be  
16       designated as an impact bank if the total dollar  
17       value of the loans extended by such depository insti-  
18       tution to low-income borrowers is greater than or  
19       equal to 50 percent of the assets of such bank.

20           (2) DESIGNATION.—Based on data obtained  
21       through examinations, an appropriate Federal bank-  
22       ing agency shall submit a notification to a depository  
23       institution stating that the depository institution  
24       qualifies for designation as an impact bank.

1           (3) APPLICATION.—A depository institution  
2           that does not receive a notification described in  
3           paragraph (2) may submit an application to the ap-  
4           propriate Federal banking agency demonstrating  
5           that the depository institution qualifies for designa-  
6           tion as an impact bank.

7           (4) ADDITIONAL DATA OR OVERSIGHT.—A de-  
8           pository institution is not required to submit addi-  
9           tional data to an appropriate Federal banking agen-  
10          cy or be subject to additional oversight from such an  
11          agency if such data or oversight is related specifi-  
12          cally and solely for consideration for a designation  
13          as an impact bank.

14          (5) REMOVAL OF DESIGNATION.—If an appro-  
15          priate Federal banking agency determines that a de-  
16          pository institution designated as an impact bank no  
17          longer meets the criteria for such designation, the  
18          appropriate Federal banking agency shall rescind  
19          the designation and notify the depository institution  
20          of such rescission.

21          (6) RECONSIDERATION OF DESIGNATION; AP-  
22          PEALS.—A depository institution may—

23                  (A) submit to the appropriate Federal  
24                  banking agency a request to reconsider a deter-

1           mination that such depository institution no  
2           longer meets the criteria for the designation; or

3                   (B) file an appeal in accordance with pro-  
4           cedures established by the appropriate Federal  
5           banking agency.

6           (7) RULEMAKING.—Not later than 1 year after  
7           the date of the enactment of this Act, the appro-  
8           priate Federal banking agencies shall jointly issue  
9           rules to carry out the requirements of this para-  
10          graph, including by providing a definition of a low-  
11          income borrower.

12          (8) REPORTS.—Each appropriate Federal bank-  
13          ing agency shall submit an annual report to the  
14          Congress containing a description of actions taken to  
15          carry out this paragraph.

16          (9) FEDERAL DEPOSIT INSURANCE ACT DEFINI-  
17          TIONS.—In this subsection, the terms “depository  
18          institution” and “appropriate Federal banking agen-  
19          cy” have the meanings given such terms, respec-  
20          tively, in section 3 of the Federal Deposit Insurance  
21          Act (12 U.S.C. 1813).

22          (f) MINORITY DEPOSITORY INSTITUTIONS ADVISORY  
23          COMMITTEES.—

24                  (1) ESTABLISHMENT.—Each covered regulator  
25          shall establish an advisory committee to be called the

1 “Minority Depository Institutions Advisory Com-  
2 mittee”.

3 (2) DUTIES.—Each Minority Depository Insti-  
4 tutions Advisory Committee shall provide advice to  
5 the respective covered regulator on meeting the goals  
6 established by section 308 of the Financial Institu-  
7 tions Reform, Recovery, and Enforcement Act of  
8 1989 (12 U.S.C. 1463 note) to preserve the present  
9 number of covered minority institutions, preserve the  
10 minority character of minority-owned institutions in  
11 cases involving mergers or acquisitions, provide tech-  
12 nical assistance, and encourage the creation of new  
13 covered minority institutions. The scope of the work  
14 of each such Minority Depository Institutions Advi-  
15 sory Committee shall include an assessment of the  
16 current condition of covered minority institutions,  
17 what regulatory changes or other steps the respec-  
18 tive agencies may be able to take to fulfill the re-  
19 quirements of such section 308, and other issues of  
20 concern to minority depository institutions.

21 (3) MEMBERSHIP.—

22 (A) IN GENERAL.—Each Minority Deposi-  
23 tory Institutions Advisory Committee shall con-  
24 sist of no more than 10 members, who—

25 (i) shall serve for one two-year term;

1 (ii) shall serve as a representative of  
2 a depository institution or an insured cred-  
3 it union with respect to which the respec-  
4 tive covered regulator is the covered regu-  
5 lator of such depository institution or in-  
6 sured credit union; and

7 (iii) shall not receive pay by reason of  
8 their service on the advisory committee,  
9 but may receive travel or transportation  
10 expenses in accordance with section 5703  
11 of title 5, United States Code.

12 (B) DIVERSITY.—To the extent prac-  
13 ticable, each covered regulator shall ensure that  
14 the members of Minority Depository Institu-  
15 tions Advisory Committee of such agency reflect  
16 the diversity of depository institutions.

17 (4) MEETINGS.—

18 (A) IN GENERAL.—Each Minority Deposi-  
19 tory Institutions Advisory Committee shall meet  
20 not less frequently than twice each year.

21 (B) INVITATIONS.—Each Minority Deposi-  
22 tory Institutions Advisory Committee shall in-  
23 vite the attendance at each meeting of the Mi-  
24 nority Depository Institutions Advisory Com-  
25 mittee of—

1 (i) one member of the majority party  
2 and one member of the minority party of  
3 the Committee on Financial Services of the  
4 House of Representatives and the Com-  
5 mittee on Banking, Housing, and Urban  
6 Affairs of the Senate; and

7 (ii) one member of the majority party  
8 and one member of the minority party of  
9 any relevant subcommittees of such com-  
10 mittees.

11 (5) NO TERMINATION OF ADVISORY COMMIT-  
12 TEES.—The termination requirements under section  
13 14 of the Federal Advisory Committee Act (5 U.S.C.  
14 app.) shall not apply to a Minority Depository Insti-  
15 tutions Advisory Committee established pursuant to  
16 this section.

17 (6) DEFINITIONS.—In this paragraph:

18 (A) COVERED REGULATOR.—The term  
19 “covered regulator” means the Comptroller of  
20 the Currency, the Board of Governors of the  
21 Federal Reserve System, the Federal Deposit  
22 Insurance Corporation, and the National Credit  
23 Union Administration.

24 (B) COVERED MINORITY INSTITUTION.—  
25 The term “covered minority institution” means

1 a minority depository institution (as defined in  
2 section 308(b) of the Financial Institutions Re-  
3 form, Recovery, and Enforcement Act of 1989  
4 (12 U.S.C. 1463 note)) or a minority credit  
5 union (as defined in section 1204(c) of the Fi-  
6 nancial Institutions Reform, Recovery, and En-  
7 forcement Act of 1989, as amended by this  
8 Act).

9 (C) DEPOSITORY INSTITUTION.—The term  
10 “depository institution” has the meaning given  
11 under section 3 of the Federal Deposit Insur-  
12 ance Act (12 U.S.C. 1813).

13 (D) INSURED CREDIT UNION.—The term  
14 “insured credit union” has the meaning given  
15 in section 101 of the Federal Credit Union Act  
16 (12 U.S.C. 1752).

17 (7) TECHNICAL AMENDMENT.—Section 308(b)  
18 of the Financial Institutions Reform, Recovery, and  
19 Enforcement Act of 1989 (12 U.S.C. 1463 note) is  
20 amended by adding at the end the following new  
21 paragraph:

22 “(3) DEPOSITORY INSTITUTION.—The term ‘de-  
23 pository institution’ means an ‘insured depository in-  
24 stitution’ (as defined in section 3 of the Federal De-  
25 posit Insurance Act (12 U.S.C. 1813)) and an in-



1       sured credit union (as defined in section 101 of the  
2       Federal Credit Union Act (12 U.S.C. 1752)).”.

3       (g) FEDERAL DEPOSITS IN MINORITY DEPOSITORY  
4 INSTITUTIONS.—

5           (1) IN GENERAL.—Section 308 of the Financial  
6       Institutions Reform, Recovery, and Enforcement Act  
7       of 1989 (12 U.S.C. 1463 note) is amended—

8           (A) by adding at the end the following new  
9       subsection:

10       “(d) FEDERAL DEPOSITS.—The Secretary of the  
11       Treasury shall ensure that deposits made by Federal agen-  
12       cies in minority depository institutions and impact banks  
13       are collateralized or insured, as determined by the Sec-  
14       retary. Such deposits shall include reciprocal deposits, as  
15       defined under section 29(i)(2) of the Federal Deposit In-  
16       surance Act (12 U.S.C. 1831f(i)(2)).”; and

17           (B) in subsection (b), as amended by sec-  
18       tion 6(g), by adding at the end the following  
19       new paragraph:

20       “(4) IMPACT BANK.—The term ‘impact bank’  
21       means a depository institution designated by an ap-  
22       propriate Federal banking agency pursuant to sub-  
23       section (e) of the Ensuring Diversity in Community  
24       Banking Act of 2020.”.

1           (2) TECHNICAL AMENDMENTS.—Section 308 of  
2       the Financial Institutions Reform, Recovery, and  
3       Enforcement Act of 1989 (12 U.S.C. 1463 note) is  
4       amended—

5           (A) in the matter preceding paragraph (1),  
6       by striking “section—” and inserting “sec-  
7       tion.”; and

8           (B) in the paragraph heading for para-  
9       graph (1), by striking “FINANCIAL” and insert-  
10      ing “DEPOSITORY”.

11      (h) MINORITY BANK DEPOSIT PROGRAM.—

12           (1) IN GENERAL.—Section 1204 of the Finan-  
13      cial Institutions Reform, Recovery, and Enforcement  
14      Act of 1989 (12 U.S.C. 1811 note) is amended to  
15      read as follows:

16      **“SEC. 1204. EXPANSION OF USE OF MINORITY BANKS AND**  
17           **MINORITY CREDIT UNIONS.**

18      “(a) MINORITY BANK DEPOSIT PROGRAM.—

19           “(1) ESTABLISHMENT.—There is established a  
20      program to be known as the ‘Minority Bank Deposit  
21      Program’ to expand the use of minority banks and  
22      minority credit unions.

23           “(2) ADMINISTRATION.—The Secretary of the  
24      Treasury, acting through the Fiscal Service, shall—

1           “(A) on application by a depository institu-  
2           tion or credit union, certify whether such depos-  
3           itory institution or credit union is a minority  
4           bank or minority credit union;

5           “(B) maintain and publish a list of all de-  
6           pository institutions and credit unions that have  
7           been certified pursuant to subparagraph (A);  
8           and

9           “(C) periodically distribute the list de-  
10          scribed in subparagraph (B) to—

11               “(i) all Federal departments and  
12               agencies;

13               “(ii) interested State and local govern-  
14               ments; and

15               “(iii) interested private sector compa-  
16               nies.

17          “(3) INCLUSION OF CERTAIN ENTITIES ON  
18          LIST.—A depository institution or credit union that,  
19          on the date of the enactment of this section, has a  
20          current certification from the Secretary of the  
21          Treasury stating that such depository institution or  
22          credit union is a minority bank or minority credit  
23          union shall be included on the list described under  
24          paragraph (2)(B).

1       “(b) EXPANDED USE AMONG FEDERAL DEPART-  
2   MENTS AND AGENCIES.—

3               “(1) IN GENERAL.—Not later than 1 year after  
4       the establishment of the program described in sub-  
5       section (a), the head of each Federal department or  
6       agency shall develop and implement standards and  
7       procedures to ensure, to the maximum extent pos-  
8       sible as permitted by law and consistent with prin-  
9       ciples of sound financial management, the use of mi-  
10      nority banks and minority credit unions to hold the  
11      deposits of each such department or agency.

12              “(2) REPORT TO CONGRESS.—Not later than 2  
13      years after the establishment of the program de-  
14      scribed in subsection (a), and annually thereafter,  
15      the head of each Federal department or agency shall  
16      submit to Congress a report on the actions taken to  
17      increase the use of minority banks and minority  
18      credit unions hold the deposits of each such depart-  
19      ment or agency.

20              “(c) DEFINITIONS.—For purposes of this section:

21              “(1) CREDIT UNION.—The term ‘credit union’  
22      has the meaning given the term ‘insured credit  
23      union’ in section 101 of the Federal Credit Union  
24      Act (12 U.S.C. 1752).

1           “(2) DEPOSITORY INSTITUTION.—The term ‘de-  
2       pository institution’ has the meaning given in section  
3       3 of the Federal Deposit Insurance Act (12 U.S.C.  
4       1813).

5           “(3) MINORITY.—The term ‘minority’ means  
6       any Black American, Native American, Hispanic  
7       American, or Asian American.

8           “(4) MINORITY BANK.—The term ‘minority  
9       bank’ means a minority depository institution as de-  
10      fined in section 308 of this Act.

11          “(5) MINORITY CREDIT UNION.—The term ‘mi-  
12      nority credit union’ means any credit union for  
13      which more than 50 percent of the membership (in-  
14      cluding board members) of such credit union are mi-  
15      nority individuals, as determined by the National  
16      Credit Union Administration pursuant to section  
17      308 of this Act.”.

18          (2) CONFORMING AMENDMENTS.—The fol-  
19      lowing provisions are amended by striking  
20      “1204(c)(3)” and inserting “1204(c)”:

21              (A) Section 808(b)(3) of the Community  
22      Reinvestment Act of 1977 (12 U.S.C.  
23      2907(b)(3)).

1 (B) Section 40(g)(1)(B) of the Federal De-  
2 posit Insurance Act (12 U.S.C.  
3 1831q(g)(1)(B)).

4 (C) Section 704B(h)(4) of the Equal Cred-  
5 it Opportunity Act (15 U.S.C. 1691e-2(h)(4)).

6 (i) DIVERSITY REPORT AND BEST PRACTICES.—

7 (1) ANNUAL REPORT.—Each covered regulator  
8 shall submit to Congress an annual report on diver-  
9 sity including the following:

10 (A) Data, based on voluntary self-identi-  
11 fication, on the racial, ethnic, and gender com-  
12 position of the examiners of each covered regu-  
13 lator, disaggregated by length of time served as  
14 an examiner.

15 (B) The status of any examiners of cov-  
16 ered regulators, based on voluntary self-identi-  
17 fication, as a veteran.

18 (C) Whether any covered regulator, as of  
19 the date on which the report required under  
20 this section is submitted, has adopted a policy,  
21 plan, or strategy to promote racial, ethnic, and  
22 gender diversity among examiners of the cov-  
23 ered regulator.

24 (D) Whether any special training is devel-  
25 oped and provided for examiners related specifi-

1 cally to working with banks that serve commu-  
2 nities that are predominantly minorities, low in-  
3 come, or rural, and the key focus of such train-  
4 ing.

5 (2) BEST PRACTICES.—Each Office of Minority  
6 and Women Inclusion of a covered regulator shall  
7 develop, provide to the head of the covered regulator,  
8 and make publicly available best practices—

9 (A) for increasing the diversity of can-  
10 didates applying for examiner positions, includ-  
11 ing through outreach efforts to recruit diverse  
12 candidate to apply for entry-level examiner posi-  
13 tions; and

14 (B) for retaining and providing fair consid-  
15 eration for promotions within the examiner  
16 staff for purposes of achieving diversity among  
17 examiners.

18 (3) COVERED REGULATOR DEFINED.—In this  
19 subsection, the term “covered regulator” means the  
20 Comptroller of the Currency, the Board of Gov-  
21 ernors of the Federal Reserve System, the Federal  
22 Deposit Insurance Corporation, and the National  
23 Credit Union Administration.

24 (j) INVESTMENTS IN MINORITY DEPOSITORY INSTI-  
25 TUTIONS AND IMPACT BANKS.—

1 (1) CONTROL FOR CERTAIN INSTITUTIONS.—

2 Section 7(j)(8)(B) of the Federal Deposit Insurance  
3 Act (12 U.S.C. 1817(j)(8)(B)) is amended to read  
4 as follows:

5 “(B) ‘control’ means the power, directly or indi-  
6 rectly—

7 “(i) to direct the management or policies  
8 of an insured depository institution; or

9 “(ii)(I) with respect to an insured depository  
10 institution, of a person to vote 25 per cen-  
11 tum or more of any class of voting securities of  
12 such institution; or

13 “(II) with respect to an insured depository  
14 institution that is an impact bank (as des-  
15 ignated pursuant to subsection (e) of the En-  
16 suring Diversity in Community Banking Act of  
17 2020) or a minority depository institution (as  
18 defined in section 308(b) of the Financial Insti-  
19 tutions Reform, Recovery, and Enforcement Act  
20 of 1989), of an individual to vote 30 percent or  
21 more of any class of voting securities of such an  
22 impact bank or a minority depository institu-  
23 tion.”.

24 (2) RULEMAKING.—The appropriate Federal  
25 banking agency (as defined in section 3 of the Fed-



1       eral Deposit Insurance Act (12 U.S.C. 1813)) shall  
2       jointly issue rules for de novo minority depository in-  
3       stitutions and de novo impact banks (as designated  
4       pursuant to subsection (e)) to allow 3 years to meet  
5       the capital requirements otherwise applicable to mi-  
6       nority depository institutions and impact banks.

7           (3) REPORT.—Not later than 1 year after the  
8       date of the enactment of this Act, the appropriate  
9       Federal banking agencies shall jointly submit to  
10      Congress a report on—

11           (A) the principal causes for the low num-  
12      ber of de novo minority depository institutions  
13      during the 10-year period preceding the date of  
14      the report;

15           (B) the main challenges to the creation of  
16      de novo minority depository institutions and de  
17      novo impact banks; and

18           (C) regulatory and legislative consider-  
19      ations to promote the establishment of de novo  
20      minority depository institutions and de novo im-  
21      pact banks.

22      (k) REPORT ON COVERED MENTOR-PROTEGE PRO-  
23      GRAMS.—

24           (1) REPORT.—Not later than 6 months after  
25      the date of the enactment of this Act and annually

1       thereafter, the Secretary of the Treasury shall sub-  
2       mit to Congress a report on participants in a cov-  
3       ered mentor-protege program, including—

4               (A) an analysis of outcomes of such pro-  
5       gram;

6               (B) the number of minority depository in-  
7       stitutions that are eligible to participate in such  
8       program but do not have large financial institu-  
9       tion mentors; and

10              (C) recommendations for how to match  
11       such minority depository institutions with large  
12       financial institution mentors.

13       (2) DEFINITIONS.—In this subsection:

14              (A) COVERED MENTOR-PROTEGE PRO-  
15       GRAM.—The term “covered mentor-protege pro-  
16       gram” means a mentor-protege program estab-  
17       lished by the Secretary of the Treasury pursu-  
18       ant to section 45 of the Small Business Act (15  
19       U.S.C. 657r).

20              (B) LARGE FINANCIAL INSTITUTION.—The  
21       term “large financial institution” means any  
22       entity—

23                      (i) regulated by the Comptroller of the  
24       Currency, the Board of Governors of the  
25       Federal Reserve System, the Federal De-

1                   posit Insurance Corporation, or the Na-  
2                   tional Credit Union Administration; and

3                   (ii) that has total consolidated assets  
4                   greater than or equal to \$50,000,000,000.

5           (l) CUSTODIAL DEPOSIT PROGRAM FOR COVERED  
6 MINORITY DEPOSITORY INSTITUTIONS AND IMPACT  
7 BANKS.—

8           (1) IN GENERAL.—Not later than one year  
9           after the date of the enactment of this Act, the Sec-  
10          retary of the Treasury shall issue rules establishing  
11          a custodial deposit program under which a covered  
12          bank may receive deposits from a qualifying account.

13          (2) REQUIREMENTS.—In issuing rules under  
14          paragraph (1), the Secretary of the Treasury shall—

15                (A) ensure each covered bank participating  
16                in the program established under this sub-  
17                section—

18                   (i) has appropriate policies relating to  
19                   management of assets, including measures  
20                   to ensure the safety and soundness of each  
21                   such covered bank; and

22                   (ii) is compliant with applicable law;  
23                   and

24                (B) ensure, to the extent practicable that  
25                the rules do not conflict with goals described in

1 section 308(a) of the Financial Institutions Re-  
2 form, Recovery, and Enforcement Act of 1989  
3 (12 U.S.C. 1463 note).

4 (3) REPORT.—Each quarter, the Secretary of  
5 the Treasury shall submit to Congress a report on  
6 the implementation of the program established under  
7 this subsection including information identifying  
8 participating covered banks and the total amount of  
9 deposits received by covered banks under the pro-  
10 gram.

11 (4) DEFINITIONS.—In this subsection:

12 (A) COVERED BANK.—The term “covered  
13 bank” means—

14 (i) a minority depository institution  
15 that is well capitalized, as defined by the  
16 Federal Deposit Insurance Corporation or  
17 the National Credit Union Administration,  
18 as appropriate; or

19 (ii) a depository institution designated  
20 pursuant to subsection (e) that is well cap-  
21 italized, as defined by the Federal Deposit  
22 Insurance Corporation.

23 (B) QUALIFYING ACCOUNT.—The term  
24 “qualifying account” means any account estab-

1 lished in the Department of the Treasury  
2 that—

3 (i) is controlled by the Secretary; and

4 (ii) is expected to maintain a balance  
5 greater than \$200,000,000 for the fol-  
6 lowing 24-month period.

7 (m) STREAMLINED COMMUNITY DEVELOPMENT FI-  
8 NANCIAL INSTITUTION APPLICATIONS AND REPORTING.—

9 (1) APPLICATION PROCESSES.—Not later than  
10 12 months after the date of the enactment of this  
11 Act and with respect to any person having assets  
12 under \$3,000,000,000 that submits an application  
13 for deposit insurance with the Federal Deposit In-  
14 surance Corporation that could also become a com-  
15 munity development financial institution, the Fed-  
16 eral Deposit Insurance Corporation, in consultation  
17 with the Administrator of the Community Develop-  
18 ment Financial Institutions Fund, shall—

19 (A) develop systems and procedures to  
20 record necessary information to allow the Ad-  
21 ministrator to conduct preliminary analysis for  
22 such person to also become a community devel-  
23 opment financial institution; and

24 (B) develop procedures to streamline the  
25 application and annual certification processes

1 and to reduce costs for such person to become,  
2 and maintain certification as, a community de-  
3 velopment financial institution.

4 (2) IMPLEMENTATION REPORT.—Not later than  
5 18 months after the date of the enactment of this  
6 Act, the Federal Deposit Insurance Corporation  
7 shall submit to Congress a report describing the sys-  
8 tems and procedures required under paragraph (1).

9 (3) ANNUAL REPORT.—

10 (A) IN GENERAL.—Section 17(a)(1) of the  
11 Federal Deposit Insurance Act (12 U.S.C.  
12 1827(a)(1)) is amended—

13 (i) in subparagraph (E), by striking  
14 “and” at the end;

15 (ii) by redesignating subparagraph  
16 (F) as subparagraph (G);

17 (iii) by inserting after subparagraph  
18 (E) the following new subparagraph:

19 “(F) applicants for deposit insurance that  
20 could also become a community development fi-  
21 nancial institution (as defined in section 103 of  
22 the Riegle Community Development and Regu-  
23 latory Improvement Act of 1994), a minority  
24 depository institution (as defined in section 308  
25 of the Financial Institutions Reform, Recovery,

1 and Enforcement Act of 1989), or an impact  
2 bank (as designated pursuant to subsection (e)  
3 of the Ensuring Diversity in Community Bank-  
4 ing Act of 2020); and”.

5 (B) APPLICATION.—The amendment made  
6 by this paragraph shall apply with respect to  
7 the first report to be submitted after the date  
8 that is 2 years after the date of the enactment  
9 of this Act.

10 (n) TASK FORCE ON LENDING TO SMALL BUSINESS  
11 CONCERNS.—

12 (1) IN GENERAL.—Not later than 6 months  
13 after the date of the enactment of this Act, the Ad-  
14 ministrator of the Small Business Administration  
15 shall establish a task force to examine methods for  
16 improving relationships between the Small Business  
17 Administration and community development finan-  
18 cial institutions, minority depository institutions,  
19 and Impact Banks to increase the volume of loans  
20 provided by such institutions to small business con-  
21 cerns (as defined under section 3 of the Small Busi-  
22 ness Act (15 U.S.C. 632)).

23 (2) REPORT TO CONGRESS.—Not later than 18  
24 months after the establishment of the task force de-  
25 scribed in paragraph (1), the Administrator of the

1 Small Business Administration shall submit to Con-  
2 gress a report on the findings of such task force.

3 (o) ASSISTANCE TO MINORITY DEPOSITORY INSTITU-  
4 TIONS AND IMPACT BANKS.—The Secretary of the Treas-  
5 ury shall establish a program to provide assistance to a  
6 minority depository institution or an impact bank (as des-  
7 ignated pursuant to subsection (e)) to support growth and  
8 development of such minority depository institutions and  
9 impact banks, including by providing assistance with ob-  
10 taining or converting a charter, bylaw amendments, field-  
11 of-membership expansion requests, and online training  
12 and resources.

13 TITLE VIII—PROVIDING ASSISTANCE FOR  
14 STATE, TERRITORY, TRIBAL, AND LOCAL  
15 GOVERNMENTS

16 **SEC. 110801. EMERGENCY RELIEF FOR STATE, TERRI-**  
17 **TORIAL, TRIBAL, AND LOCAL GOVERNMENTS.**

18 (a) PURCHASE OF COVID–19 RELATED MUNICIPAL  
19 ISSUANCES.—Section 14(b) of the Federal Reserve Act  
20 (12 U.S.C. 355) is amended by adding at the end the fol-  
21 lowing new paragraph:

22 “(3) UNUSUAL AND EXIGENT CIRCUMSTANCES.—  
23 Under unusual and exigent circumstances, to buy any  
24 bills, notes, revenue bonds, and warrants issued by any  
25 State, county, district, political subdivision, municipality,



1 or entity that is a combination of any of the several States,  
2 the District of Columbia, or any of the territories and pos-  
3 sessions of the United States. In this paragraph, the term  
4 ‘State’ means each of the several States, the District of  
5 Columbia, each territory and possession of the United  
6 States, and each federally recognized Indian Tribe.”.

7 (b) FEDERAL RESERVE AUTHORIZATION TO PUR-  
8 CHASE COVID–19 RELATED MUNICIPAL ISSUANCES.—  
9 Within 7 days after the date of the enactment of this sub-  
10 section, the Board of Governors of the Federal Reserve  
11 System shall modify the Municipal Liquidity Facility (es-  
12 tablished on April 9, 2020, pursuant to section 13(3) of  
13 the Federal Reserve Act (12 U.S.C. 343(3))) to—

14 (1) ensure such facility is operational until De-  
15 cember 31, 2021;

16 (2) allow for the purchase of bills, notes, bonds,  
17 and warrants with maximum maturity of 10 years  
18 from the date of such purchase;

19 (3) ensure that any purchases made are at an  
20 interest rate equal to the discount window primary  
21 credit interest rate most recently published on the  
22 Federal Reserve Statistical Release on selected inter-  
23 est rates (daily or weekly), commonly referred to as  
24 the “H.15 release” or the “Federal funds rate”;

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1 (4) ensure that an eligible issuer does not need  
2 to attest to an inability to secure credit elsewhere;  
3 and

4 (5) include in the list of eligible issuers for such  
5 purchases—

6 (A) any of the territories and possessions  
7 of the United States;

8 (B) a political subdivision of a State with  
9 a population of more than 50,000 residents;  
10 and

11 (C) an entity that is a combination of any  
12 of the several States, the District of Columbia,  
13 or any of the territories and possessions of the  
14 United States.

15 **SEC. 110802. COMMUNITY DEVELOPMENT BLOCK GRANTS.**

16 (a) FUNDING AND ALLOCATIONS.—

17 (1) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated  
19 \$5,000,000,000 for assistance in accordance with  
20 this section under the community development block  
21 grant program under title I of the Housing and  
22 Community Development Act of 1974 (42 U.S.C.  
23 5301 et seq.), which shall remain available until  
24 September 30, 2023.

1           (2) ALLOCATION.—Amounts made available  
2       pursuant to paragraph (1) shall be distributed pur-  
3       suant to section 106 of such Act (42 U.S.C. 5306)  
4       to grantees and such allocations shall be made with-  
5       in 30 days after the date of the enactment of this  
6       Act.

7       (b) TIME LIMITATION ON EMERGENCY GRANT PAY-  
8       MENTS.—Paragraph (4) of section 570.207(b) of the Sec-  
9       retary’s regulations (24 C.F.R. 570.207(b)(4)) shall be  
10      applied with respect to grants with amounts made avail-  
11      able pursuant to subsection (a), by substituting “121 con-  
12      secutive months” for “3 consecutive months”.

13      (c) MATCHING OF AMOUNTS USED FOR ADMINISTRA-  
14      TIVE COSTS.—Any requirement for a State to match or  
15      supplement amounts expended for program administration  
16      of State grants under section 106(d) of the Housing and  
17      Community Development Act of 1974 (42 U.S.C.  
18      5306(d)) shall not apply with respect to amounts made  
19      available pursuant to subsection (a).

20      (d) CAPER INFORMATION.—During the period that  
21      begins on the date of enactment of this Act and ends on  
22      the date of the termination by the Federal Emergency  
23      Management Agency of the emergency declared on March  
24      13, 2020, by the President under the Robert T. Stafford  
25      Disaster Relief and Emergency Assistance Act (42 U.S.C.

1 4121 et seq.) relating to the Coronavirus Disease 2019  
2 (COVID-19) pandemic, the Secretary shall make all infor-  
3 mation included in Consolidated Annual Performance and  
4 Evaluation Reports relating to assistance made available  
5 pursuant to this section publicly available on its website  
6 on a quarterly basis.

7 (e) AUTHORITY; WAIVERS.—Any provisions of, and  
8 waivers and alternative requirements issued by the Sec-  
9 retary pursuant to, the heading “Department of Housing  
10 and Urban Development—Community Planning and De-  
11 velopment —Community Development Fund” in title XII  
12 of division B of the CARES Act (Public Law 116-136)  
13 shall apply with respect to amounts made available pursu-  
14 ant to subsection (a) of this section.

15 TITLE IX—PROVIDING OVERSIGHT AND  
16 PROTECTING TAXPAYERS

17 **SEC. 110901. MANDATORY REPORTS TO CONGRESS.**

18 (a) DISCLOSURE OF TRANSACTION REPORTS.—Sec-  
19 tion 4026(b)(1)(A)(iii) of the CARES Act (Public Law  
20 116–136) is amended—

21 (1) in subclause (IV)—

22 (A) by inserting “and the justification for  
23 such exercise of authority” after “authority”;  
24 and

25 (B) by striking “and” at the end;

1 (2) in subclause (V), by striking the period at  
2 the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(VI) the identity of each recipi-  
5 ent of a loan or loan guarantee de-  
6 scribed in subclause (I);

7 “(VII) the date and amount of  
8 each such loan or loan guarantee and  
9 the form in which each such loan or  
10 loan guarantee was provided;

11 “(VIII) the material terms of  
12 each such loan or loan guarantee, in-  
13 cluding—

14 “(aa) duration;

15 “(bb) collateral pledged and  
16 the value thereof;

17 “(cc) all interest, fees, and  
18 other revenue or items of value to  
19 be received in exchange for such  
20 loan or loan guarantee;

21 “(dd) any requirements im-  
22 posed on the recipient with re-  
23 spect to employee compensation,  
24 distribution of dividends, or any

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1 other corporate decision in ex-  
2 change for the assistance; and  
3 “(ee) the expected costs to  
4 the Federal Government with re-  
5 spect to such loans or loan guar-  
6 antees.”.

7 (b) REPORTS BY THE SECRETARY OF THE TREAS-  
8 URY.—Section 4018 of the CARES Act (Public Law 116–  
9 136) is amended by adding at the end the following:

10 “(k) REPORTS BY THE SECRETARY.—Not later than  
11 7 days after the last day of each month, the Secretary  
12 shall submit to the Special Inspector General, the Com-  
13 mittee on Financial Services of the House of Representa-  
14 tives, and the Committee on Banking, Housing, and  
15 Urban Affairs of the Senate a report that includes the in-  
16 formation specified in subparagraphs (A) through (E) of  
17 subsection (c)(1) with respect to the making, purchase,  
18 management, and sale of loans, loan guarantees, and other  
19 investments made by the Secretary under any program es-  
20 tablished by the Secretary under this Act.”.

21 **SEC. 110902. DISCRETIONARY REPORTS TO CONGRESS.**

22 Section 4020(b) of the CARES Act (Public Law 116–  
23 136) is amended by adding at the end the following:

24 “(3) DISCRETIONARY REPORTS TO CON-  
25 GRESS.—In addition to the reports required under

1 paragraph (2), the Oversight Commission may sub-  
2 mit other reports to Congress at such time, in such  
3 manner, and containing such information as the  
4 Oversight Commission determines appropriate.”.

5 **SEC. 110903. DEFINITION OF APPROPRIATE CONGRES-**  
6 **SIONAL COMMITTEES.**

7 (a) PANDEMIC RESPONSE ACCOUNTABILITY COM-  
8 MITTEE.—Section 15010(a)(2) of the CARES Act (Public  
9 Law 116–136) is amended—

10 (1) by redesignating subparagraphs (B)  
11 through (D) as subparagraphs (D) through (F), re-  
12 spectively; and

13 (2) by inserting after subparagraph (A) the fol-  
14 lowing:

15 “(B) the Committee on Banking, Housing,  
16 and Urban Affairs of the Senate;

17 “(C) the Committee on Financial Services  
18 of the House of Representatives;”.

19 (b) OVERSIGHT AND AUDIT AUTHORITY.—Section  
20 19010(a)(1) of the CARES Act (Public Law 116–136) is  
21 amended—

22 (1) by redesignating subparagraphs (B)  
23 through (G) as subparagraphs (D) through (I), re-  
24 spectively; and

1 (2) by inserting after subparagraph (A) the fol-  
2 lowing:

3 “(B) the Committee on Banking, Housing,  
4 and Urban Affairs of the Senate;

5 “(C) the Committee on Financial Services  
6 of the House of Representatives;”.

7 **SEC. 110904. REPORTING BY INSPECTORS GENERAL.**

8 (a) DEFINITION OF COVERED AGENCY.—In this sec-  
9 tion, the term “covered agency” means—

10 (1) the Department of the Treasury;

11 (2) the Federal Deposit Insurance Corporation;

12 (3) the Office of the Comptroller of the Cur-  
13 rency;

14 (4) the Board of Governors of the Federal Re-  
15 serve System;

16 (5) the National Credit Union Administration;

17 (6) the Bureau of Consumer Financial Protec-  
18 tion;

19 (7) the Department of Housing and Urban De-  
20 velopment;

21 (8) the Department of Agriculture, Rural Hous-  
22 ing Service;

23 (9) the Securities and Exchange Commission;

24 and

25 (10) the Federal Housing Finance Agency.



1 (b) REPORT.—The Inspector General of each covered  
2 agency shall include in each semiannual report submitted  
3 by the Inspector General the findings of the Inspector  
4 General on the effectiveness of—

5 (1) rulemaking by the covered agency related to  
6 COVID–19; and

7 (2) supervision and oversight by the covered  
8 agency of institutions and entities that participate in  
9 COVID–19-related relief, funding, lending, or other  
10 programs of the covered agency.

11 (c) SUBMISSION.—The Inspector General of each cov-  
12 ered agency shall submit the information required to be  
13 included in each semiannual report under subsection (b)  
14 to—

15 (1) the Special Inspector General for Pandemic  
16 Recovery appointed under section 4018 of division A  
17 of the CARES Act (Public Law 116–136);

18 (2) the Pandemic Response Accountability  
19 Committee established under section 15010 of divi-  
20 sion B of the CARES Act (Public Law 116–136);  
21 and

22 (3) the Congressional Oversight Commission es-  
23 tablished under section 4020 of division A of the  
24 CARES Act (Public Law 116–136).

1 **DIVISION L—FAMILIES, WORK-**  
2 **ERS, AND COMMUNITY SUP-**  
3 **PORT PROVISIONS**

4 **TITLE I—AMENDMENTS TO**  
5 **EMERGENCY FAMILY AND**  
6 **MEDICAL LEAVE EXPANSION**  
7 **ACT AND EMERGENCY PAID**  
8 **SICK LEAVE ACT**

9 **Subtitle A—Emergency Family and**  
10 **Medical Leave Expansion Act**  
11 **Amendments**

12 **SEC. 120101. REFERENCES.**

13 Except as otherwise expressly provided, whenever in  
14 this subtitle an amendment or repeal is expressed in terms  
15 of an amendment to, or repeal of, a section or other provi-  
16 sion, the reference shall be considered to be made to a  
17 section or other provision of the Family and Medical Leave  
18 Act of 1993 (29 U.S.C. 2601 et seq.), as amended by the  
19 Emergency Family and Medical Leave Expansion Act  
20 (Public Law 116–127).

21 **SEC. 120102. EMPLOYEE ELIGIBILITY AND EMPLOYER**  
22 **CLARIFICATION.**

23 (a) **EMPLOYEE ELIGIBILITY.**—Section 101(2) is  
24 amended by adding at the end the following:

1                   “(F) ALTERNATIVE ELIGIBILITY FOR  
2 COVID–19 PUBLIC HEALTH EMERGENCY.—For  
3 the period beginning on the date of enactment  
4 of the HEROES Act and ending on December  
5 31, 2022—

6                   “(i) subparagraph (A)(i) shall be ap-  
7 plied by substituting ‘90 days’ for ‘12  
8 months’; and

9                   “(ii) subparagraph (A)(ii) shall not  
10 apply.”.

11       (b) EMPLOYER CLARIFICATION.—Section 101(4) is  
12 amended by adding at the end the following:

13                   “(C) CLARIFICATION.—Subparagraph  
14 (A)(i) shall not apply with respect to a public  
15 agency described in subparagraph (A)(iii).”.

16 **SEC. 120103. EMERGENCY LEAVE EXTENSION.**

17       Section 102(a)(1)(F) is amended by striking “De-  
18 cember 31, 2020” and inserting “December 31, 2021”.

19 **SEC. 120104. EMERGENCY LEAVE DEFINITIONS.**

20       (a) ELIGIBLE EMPLOYEE.—Section 110(a)(1) is  
21 amended in subparagraph (A), by striking “sections  
22 101(2)(A) and 101(2)(B)(ii)” and inserting “section  
23 101(2)”.

1 (b) EMPLOYER THRESHOLD.—Section 110(a)(1)(B)  
2 is amended by striking “fewer than 500 employees” and  
3 inserting “1 or more employees”.

4 (c) PARENT.—Section 110(a)(1) is amended by add-  
5 ing at the end the following:

6 “(C) PARENT.—In lieu of the definition in  
7 section 101(7), the term ‘parent’, with respect  
8 to an employee, means any of the following:

9 “(i) A biological, foster, or adoptive  
10 parent of the employee.

11 “(ii) A stepparent of the employee.

12 “(iii) A parent-in-law of the employee.

13 “(iv) A parent of a domestic partner  
14 of the employee.

15 “(v) A legal guardian or other person  
16 who stood in loco parentis to an employee  
17 when the employee was a child.”.

18 (d) QUALIFYING NEED RELATED TO A PUBLIC  
19 HEALTH EMERGENCY.—Section 110(a)(2)(A) is amended  
20 to read as follows:

21 “(A) QUALIFYING NEED RELATED TO A  
22 PUBLIC HEALTH EMERGENCY.—The term  
23 ‘qualifying need related to a public health emer-  
24 gency’, with respect to leave, means that the  
25 employee is unable to perform the functions of

1 the position of such employee due to a need for  
2 leave for any of the following:

3 “(i) To self-isolate because the em-  
4 ployee is diagnosed with COVID–19.

5 “(ii) To obtain a medical diagnosis or  
6 care if such employee is experiencing the  
7 symptoms of COVID–19.

8 “(iii) To comply with a recommenda-  
9 tion or order by a public official with juris-  
10 diction or a health care provider to self iso-  
11 late, without regard to whether such rec-  
12 ommendation or order is specific to the  
13 employee, on the basis that the physical  
14 presence of the employee on the job would  
15 jeopardize the employee’s health, the  
16 health of other employees, or the health of  
17 an individual in the household of the em-  
18 ployee because of—

19 “(I) the possible exposure of the  
20 employee to COVID–19; or

21 “(II) exhibition of symptoms of  
22 COVID–19 by the employee.

23 “(iv) To care for or assist a family  
24 member of the employee, without regard to  
25 whether another individual other than the

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1 employee is available to care for or assist  
2 such family member, because—

3 “(I) such family member—

4 “(aa) is self-isolating be-  
5 cause such family member has  
6 been diagnosed with COVID–19;  
7 or

8 “(bb) is experiencing symp-  
9 toms of COVID–19 and needs to  
10 obtain medical diagnosis or care;  
11 or

12 “(II) a public official with juris-  
13 diction or a health care provider  
14 makes a recommendation or order  
15 with respect to such family member,  
16 without regard to whether such deter-  
17 mination is specific to such family  
18 member, that the presence of the fam-  
19 ily member in the community would  
20 jeopardize the health of other individ-  
21 uals in the community because of—

22 “(aa) the possible exposure  
23 of such family member to  
24 COVID–19; or

1                   “(bb) exhibition of symp-  
2                   toms of COVID–19 by such fam-  
3                   ily member.

4                   “(v) To care for the son or daughter  
5                   of such employee if the school or place of  
6                   care has been closed, or the child care pro-  
7                   vider of such son or daughter is unavail-  
8                   able, due to COVID–19.

9                   “(vi) To care for a family member  
10                  who is incapable of self-care because of a  
11                  mental or physical disability or is a senior  
12                  citizen, without regard to whether another  
13                  individual other than the employee is avail-  
14                  able to care for such family member, if the  
15                  place of care for such family member is  
16                  closed or the direct care provider is un-  
17                  available due to COVID–19.”.

18                  (e) FAMILY MEMBER.—Section 110(a)(2) is amended  
19                  by adding at the end the following:

20                  “(E) FAMILY MEMBER.—The term ‘family  
21                  member’, with respect to an employee, means  
22                  any of the following:

23                         “(i) A parent of the employee.

24                         “(ii) A spouse of the employee.

25                         “(iii) A sibling of the employee.

1 “(iv) Next of kin of the employee or  
2 a person for whom the employee is next of  
3 kin.

4 “(v) A son or daughter of the em-  
5 ployee.

6 “(vi) A grandparent or grandchild of  
7 the employee.

8 “(vii) A domestic partner of the em-  
9 ployee.

10 “(viii) Any other individual related by  
11 blood or affinity whose close association  
12 with the employee is the equivalent of a  
13 family relationship.

14 “(F) DOMESTIC PARTNER.—

15 “(i) IN GENERAL.—The term ‘domes-  
16 tic partner’, with respect to an individual,  
17 means another individual with whom the  
18 individual is in a committed relationship.

19 “(ii) COMMITTED RELATIONSHIP DE-  
20 FINED.—The term ‘committed relationship’  
21 means a relationship between 2 individuals,  
22 each at least 18 years of age, in which  
23 each individual is the other individual’s  
24 sole domestic partner and both individuals  
25 share responsibility for a significant meas-



1           ure of each other’s common welfare. The  
2           term includes any such relationship be-  
3           tween 2 individuals that is granted legal  
4           recognition by a State or political subdivi-  
5           sion of a State as a marriage or analogous  
6           relationship, including a civil union or do-  
7           mestic partnership.”.

8   **SEC. 120105. REGULATORY AUTHORITIES.**

9       (a) IN GENERAL.—Section 110(a) is amended by  
10   striking paragraph (3).

11       (b) FORCE OR EFFECT OF REGULATIONS.—Any reg-  
12   ulation issued under section 110(a)(3), as in effect on the  
13   day before the date of the enactment of this Act, shall  
14   have no force or effect.

15   **SEC. 120106. PAID LEAVE.**

16       Section 110(b) of the Family and Medical Leave Act  
17   of 1993 is amended—

18           (1) in the heading, by striking “Relationship  
19       to”;

20           (2) by amending paragraph (1) to read as fol-  
21       lows:

22           “(1) EMPLOYEE ELECTION.—

23               “(A) IN GENERAL.—An employee may  
24       elect to substitute any vacation leave, personal  
25       leave, or medical or sick leave for paid leave

1 under section 102(a)(1)(F) in accordance with  
2 section 102(d)(2)(B).

3 “(B) EMPLOYER REQUIREMENT.—An em-  
4 ployer may not require an employee to sub-  
5 stitute any leave described in subparagraph (A)  
6 for leave under section 102(a)(1)(F).

7 “(C) RELATIONSHIP TO OTHER FAMILY  
8 AND MEDICAL LEAVE.—Leave taken under sub-  
9 paragraph (F) of section 102(a)(1) shall not  
10 count towards the 12 weeks of leave to which  
11 an employee is entitled under subparagraphs  
12 (A) through (E) of such section.

13 “(D) RELATIONSHIP TO LIMITATION.—  
14 Compensation for any vacation leave, personal  
15 leave, or medical or sick leave that is sub-  
16 stituted for leave under section 102(a)(1)(F)  
17 shall not count toward the limitation under  
18 paragraph (2)(B)(ii).”; and

19 (3) in paragraph (2)(A), by striking “that an  
20 employee takes” and all that follows through “10  
21 days”.

22 **SEC. 120107. WAGE RATE.**

23 Section 110(b)(2)(B) is amended—

24 (1) by amending clause (i)(I) to read as follows:

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1 “(I) an amount that is not less  
2 than the greater of—

3 “(aa) the minimum wage  
4 rate in effect under section  
5 6(a)(1) of the Fair Labor Stand-  
6 ards Act of 1938 (29 U.S.C.  
7 206(a)(1));

8 “(bb) the minimum wage  
9 rate in effect for such employee  
10 in the applicable State or locality,  
11 whichever is greater, in which the  
12 employee is employed; or

13 “(cc) two thirds of an em-  
14 ployee’s regular rate of pay (as  
15 determined under section 7(e) of  
16 the Fair Labor Standards Act of  
17 1938 (29 U.S.C. 207(e)); and”;  
18 and

19 (2) in clause (ii), by striking “\$10,000” and in-  
20 serting “\$12,000”.

21 **SEC. 120108. NOTICE.**

22 Section 110(c) is amended by striking “for the pur-  
23 pose described in subsection (a)(2)(A)”.

1 **SEC. 120109. INTERMITTENT LEAVE.**

2 Section 110 is amended by adding at the end the fol-  
3 lowing:

4 “(e) LEAVE TAKEN INTERMITTENTLY OR ON A RE-  
5 DUCED WORK SCHEDULE.—Leave under section  
6 102(a)(1)(F) may be taken by an employee intermittently  
7 or on a reduced work schedule, without regard to whether  
8 the employee and the employer of the employee have an  
9 agreement with respect to whether such leave may be  
10 taken intermittently or on a reduced work schedule.”.

11 **SEC. 120110. CERTIFICATION.**

12 Section 110 is further amended by adding at the end  
13 the following:

14 “(f) CERTIFICATION.—

15 “(1) IN GENERAL.—If an employer requires  
16 that a request for leave under section 102(a)(1)(F)  
17 be certified, the employer may require documenta-  
18 tion for certification not earlier than 5 weeks after  
19 the date on which the employee takes such leave.

20 “(2) SUFFICIENT CERTIFICATION.—The fol-  
21 lowing documentation shall be sufficient for certifi-  
22 cation:

23 “(A) With respect to leave taken for the  
24 purposes described in clauses (i) through (iv) of  
25 subsection (a)(2)(A)—

1 “(i) a recommendation or order from  
2 a public official having jurisdiction or a  
3 health care provider that the employee or  
4 relevant family member has symptoms of  
5 COVID–19 or should self-isolate; or

6 “(ii) documentation or evidence, in-  
7 cluding an oral or written statement from  
8 an employee, that the employee or relevant  
9 family member has been exposed to  
10 COVID–19.

11 “(B) With respect to leave taken for the  
12 purposes described in clause (v) or (vi) of sub-  
13 section (a)(2)(A), notice from the school, place  
14 of care, or child care or direct care provider of  
15 the son or daughter or other family member of  
16 the employee of closure or unavailability.”.

17 **SEC. 120111. AUTHORITY OF THE DIRECTOR OF THE OF-**  
18 **FICE OF MANAGEMENT AND BUDGET TO EX-**  
19 **CLUDE CERTAIN EMPLOYEES.**

20 Section 110(a) is amended by striking paragraph (4).

21 **SEC. 120112. TECHNICAL AMENDMENTS.**

22 (a) Section 110(a)(1)(A) is amended by striking  
23 “(ii)” before “SPECIAL RULE” and inserting “(iii)”.

24 (b) Section 19008 of the CARES Act is amended—  
25 (1) by striking “—” after “amended”;

1 (2) by striking paragraph (1); and

2 (3) by striking “(2)” before “by adding at the  
3 end”.

4 **SEC. 120113. AMENDMENTS TO THE EMERGENCY FAMILY**  
5 **AND MEDICAL LEAVE EXPANSION ACT.**

6 The Emergency Family and Medical Leave Expan-  
7 sion Act (Public Law 116–127) is amended—

8 (1) in section 3103(b), by striking “Employees”  
9 and inserting, “Notwithstanding section  
10 102(a)(1)(A) of the Family and Medical Leave Act  
11 of 1993 (29 U.S.C. 2612(a)(1)(A)), employees”; and  
12 (2) by striking sections 3104 and 3105.

13 **Subtitle B—Emergency Paid Sick**  
14 **Leave Act Amendments**

15 **SEC. 120114. REFERENCES.**

16 Except as otherwise expressly provided, whenever in  
17 this subtitle an amendment or repeal is expressed in terms  
18 of an amendment to, or repeal of, a section or other provi-  
19 sion, the reference shall be considered to be made to a  
20 section or other provision of division E of the Families  
21 First Coronavirus Response Act (Public Law 116–127).

22 **SEC. 120115. PAID SICK TIME REQUIREMENT.**

23 (a) **USES.**—Section 5102(a) is amended to read as  
24 follows:

1       “(a) IN GENERAL.—An employer shall provide to  
2 each employee employed by the employer paid sick time  
3 for any qualifying need related to a public health emer-  
4 gency (as defined in section 110(a)(2)(A) of the Family  
5 and Medical Leave Act of 1993 (29 U.S.C.  
6 2620(a)(2)(A)).”.

7       (b) RECURRENCE.—Section 5102(b) is amended by  
8 striking “An” and inserting “During any 12-month pe-  
9 riod, an”.

10       (c) EMPLOYERS WITH EXISTING POLICIES.—Section  
11 5102 is amended by striking subsection (f) and inserting  
12 the following:

13       “(f) EMPLOYERS WITH EXISTING POLICIES.—With  
14 respect to an employer that provides paid leave on the day  
15 before the date of enactment of this Act—

16               “(1) the paid sick time under this Act shall be  
17 made available to employees of the employer in addi-  
18 tion to such paid leave; and

19               “(2) the employer may not change such paid  
20 leave on or after such date of enactment to avoid  
21 being subject to paragraph (1).”.

22       (d) INTERMITTENT LEAVE.—Section 5102 is further  
23 amended by adding at the end the following:

24       “(g) LEAVE TAKEN INTERMITTENTLY OR ON A RE-  
25 DUCED WORK SCHEDULE.—Leave under section 5102

1 may be taken by an employee intermittently or on a re-  
2 duced work schedule, without regard to whether the em-  
3 ployee and the employer of the employee have an agree-  
4 ment with respect to whether such leave may be taken  
5 intermittently or on a reduced work schedule.”.

6 (e) CERTIFICATION.—Section 5102 is further amend-  
7 ed by adding at the end the following:

8 “(h) CERTIFICATION.—If an employer requires that  
9 a request for paid sick time under this section be cer-  
10 tified—

11 “(1) the documentation described in paragraph  
12 (2) of section 110(f) of the Family and Medical  
13 Leave Act of 1993 (29 U.S.C. 2620(f)) shall be suf-  
14 ficient for certification; and

15 “(2) an employer may not require such certifi-  
16 cation unless—

17 “(A) the employee takes not less than 3  
18 consecutive days of paid sick time; and

19 “(B) the employer requires documents for  
20 such certification not earlier than 7 workdays  
21 after the employee returns to work after such  
22 paid sick time.”.

23 (f) NOTICE.—Section 5102 is further amended by  
24 adding at the end the following:



1       “(i) NOTICE.—In any case where the necessity for  
2 leave under this section is foreseeable, an employee shall  
3 provide the employer with such notice of leave as is prac-  
4 ticable.”.

5       (g) LEAVE TRANSFER TO NEW EMPLOYER.—Section  
6 5102 is further amended by adding at the end the fol-  
7 lowing:

8       “(j) LEAVE TRANSFER TO NEW EMPLOYER.—A cov-  
9 ered employee who begins employment with a new covered  
10 employer shall be entitled to the full amount of leave under  
11 section 5102 with respect to such employer.”.

12       (h) RESTORATION TO POSITION.—

13               (1) IN GENERAL.—Section 5102 is further  
14 amended by adding at the end the following:

15       “(k) RESTORATION TO POSITION.—Any covered em-  
16 ployee who takes paid sick time under this section, on re-  
17 turn from such paid sick time, shall be entitled—

18               “(1) to be restored by the employer to the posi-  
19 tion of employment held by the employee when the  
20 leave commenced; or

21               “(2) if such position is not available, to be re-  
22 stored to an equivalent position with equivalent em-  
23 ployment benefits, pay, and other terms and condi-  
24 tions of employment.”.

1           (2) ENFORCEMENT.—Section 5105 is amend-  
2       ed—

3           (A) by amending subsection (a) to read as  
4       follows:

5       “(a) UNPAID SICK LEAVE.—Subject to subsection  
6       (b), a violation of section 5102 shall be deemed a violation  
7       of section 7 of the Fair Labor Standards Act of 1938 (29  
8       U.S.C. 207) and unpaid amounts shall be treated as un-  
9       paid overtime compensation under such section for the  
10      purposes of sections 15 and 16 of such Act (29 U.S.C.  
11      215 and 216).”; and

12           (B) in subsection (b), by inserting “section  
13      5102(k) or” before “section 5104”.

14   **SEC. 120116. SUNSET.**

15      Section 5109 is amended by striking “December 31,  
16      2020” and inserting “December 31, 2021”.

17   **SEC. 120117. DEFINITIONS.**

18      (a) EMPLOYER.—Section 5110(2)(B) is amended—

19           (1) by striking “terms” and inserting “term”;

20           (2) by amending subclause (I) of clause (i) to  
21      read as follows:

22                           “(I) means any person engaged  
23                           in commerce or in any industry or ac-  
24                           tivity affecting commerce that employs  
25                           1 or more employees;”; and

1 (3) by amending clause (ii) to read as follows:

2 “(ii) PUBLIC AGENCY AND NON-PROF-  
3 IT ORGANIZATIONS.—For purposes of  
4 clause (i)(III) and (i)(I), a public agency  
5 and a nonprofit organization shall be con-  
6 sidered to be a person engaged in com-  
7 merce or in an industry or activity affect-  
8 ing commerce.”.

9 (b) FMLA TERMS.—Section 5110(4) is amended to  
10 read as follows:

11 “(4) FMLA TERMS.—

12 “(A) SECTION 101.—The terms ‘health  
13 care provider’, ‘next of kin’, ‘son or daughter’,  
14 and ‘spouse’ have the meanings given such  
15 terms in section 101 of the Family and Medical  
16 Leave Act of 1993 (29 U.S.C. 2611).

17 “(B) SECTION 110.—The terms ‘child care  
18 provider’, ‘domestic partner’, ‘family member’,  
19 ‘parent’, and ‘school’ have the meanings given  
20 such terms in section 110(a)(2) of the Family  
21 and Medical and Leave Act of 1993.”.

22 (c) PAID SICK TIME.—Section 5110(5) is amended—  
23 (1) in subparagraph (A)—

24 (A) in clause (i), by striking “reason de-  
25 scribed in any paragraph of section 2(a)” and

1 inserting “qualifying need related to a public  
2 health emergency”; and

3 (B) in clause (ii), by striking “exceed” and  
4 all that follows and inserting “exceed \$511 per  
5 day and \$5,110 in the aggregate.”;

6 (2) in subparagraph (B)—

7 (A) by striking the following:

8 “(B) REQUIRED COMPENSATION.—

9 “(i) IN GENERAL.—Subject to sub-  
10 paragraph (A)(ii),”; and inserting the fol-  
11 lowing:

12 “(B) REQUIRED COMPENSATION.—Subject  
13 to subparagraph (A)(ii),”; and

14 (B) by striking clause (ii); and

15 (3) in subparagraph (C), by striking “ section  
16 2(a)” and inserting “section 5102(a)”.

17 (d) QUALIFYING NEED RELATED TO A PUBLIC  
18 HEALTH EMERGENCY.—Section 5110 is amended by add-  
19 ing at the end the following:

20 “(1) QUALIFYING NEED RELATED TO A PUBLIC  
21 HEALTH EMERGENCY.—The term ‘qualifying need  
22 related to a public health emergency’ has the mean-  
23 ing given such term in section 110(a)(2)(A) of the  
24 Family and Medical Leave Act of 1993 (29 U.S.C.  
25 2620(a)(2)(A)).”.

1 **SEC. 120118. EMERGENCY PAID SICK LEAVE FOR EMPLOY-**  
2 **EES OF THE DEPARTMENT OF VETERANS AF-**  
3 **FAIRS AND THE TRANSPORTATION SECURITY**  
4 **ADMINISTRATION FOR PURPOSES RELATING**  
5 **TO COVID-19.**

6 Section 5110(1) is further amended—

7 (1) in subparagraph (E) by striking “or” after  
8 “Code;”;

9 (2) by redesignating subparagraph (F) as sub-  
10 paragraph (H); and

11 (3) by inserting after subparagraph (E) the fol-  
12 lowing:

13 “(F) notwithstanding sections 7421(a) or  
14 7425(b) of title 38, United States Code, or any  
15 other provision of law, an employee of the De-  
16 partment of Veterans Affairs (including employ-  
17 ees under chapter 74 of such title);

18 “(G) any employee of the Transportation  
19 Security Administration, including an employee  
20 under 111(d) of the Aviation and Transpor-  
21 tation Security Act (49 U.S.C. 44935 note);  
22 or”.

23 **SEC. 120119. AUTHORITY OF THE DIRECTOR OF THE OF-**  
24 **FICE OF MANAGEMENT AND BUDGET TO EX-**  
25 **CLUDE CERTAIN EMPLOYEES.**

26 Division E is amended by striking section 5112.

1 **SEC. 120120. REGULATORY AUTHORITIES.**

2 (a) IN GENERAL.—Division E is amended by striking  
3 section 5111.

4 (b) FORCE OR EFFECT OF REGULATIONS.—Any reg-  
5 ulation issued under section 5111 of division E of the  
6 Families First Coronavirus Response Act (Public Law  
7 116–127), as in effect on the day before the date of the  
8 enactment of this Act, shall have no force or effect.

9 **TITLE II—COVID-19 WORKFORCE**  
10 **DEVELOPMENT RESPONSE**  
11 **ACTIVITIES**

12 **SEC. 120201. DEFINITIONS AND SPECIAL RULE.**

13 (a) DEFINITIONS.—

14 (1) IN GENERAL.—Except as otherwise pro-  
15 vided, the terms in this title have the meanings  
16 given the terms in section 3 of the Workforce Inno-  
17 vation and Opportunity Act (29 U.S.C. 3102).

18 (2) APPRENTICESHIP; APPRENTICESHIP PRO-  
19 GRAM.—The terms “apprenticeship” or “apprentice-  
20 ship program” mean an apprenticeship program reg-  
21 istered under the Act of August 16, 1937 (commonly  
22 known as the “National Apprenticeship Act”) (50  
23 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), in-  
24 cluding any requirement, standard, or rule promul-  
25 gated under such Act, as such requirement, stand-  
26 ard, or rule was in effect on December 30, 2019.

1           (3) CORONAVIRUS.—The term “coronavirus”  
2       means coronavirus as defined in section 506 of the  
3       Coronavirus Preparedness and Response Supple-  
4       mental Appropriations Act, 2020 (Public Law 116–  
5       123).

6           (4) COVID–19 NATIONAL EMERGENCY.—The  
7       term “COVID–19 national emergency” means the  
8       national emergency declared by the President under  
9       the National Emergencies Act (50 U.S.C. 1601 et  
10      seq.) on March 13, 2020, with respect to the  
11      coronavirus.

12          (5) SECRETARY.—The term “Secretary” means  
13      the Secretary of Labor.

14      (b) SPECIAL RULE.—For purposes of this Act, in fis-  
15      cal years 2020 and 2021, funds are authorized to be ap-  
16      propriated for activities under the Workforce Innovation  
17      and Opportunity Act, except that funds are only author-  
18      ized to support apprenticeship programs as defined under  
19      subsection (a)(2) of this section, including any funds  
20      awarded for the purposes of grants, contracts, or coopera-  
21      tive agreements, or the development, implementation, or  
22      administration, of an apprenticeship or an apprenticeship  
23      program.

1 **SEC. 120202. JOB CORPS RESPONSE TO THE COVID-19 NA-**  
2 **TIONAL EMERGENCY.**

3 In order to provide for the successful continuity of  
4 services and enrollment periods during the COVID-19 na-  
5 tional emergency, additional flexibility shall be provided  
6 for Job Corps operators, providers of eligible activities,  
7 and practitioners, including the following:

8 (1) **ELIGIBILITY.**—Notwithstanding the age re-  
9 quirements for enrollment under section 144(a)(1)  
10 of the Workforce Innovation and Opportunity Act  
11 (29 U.S.C. 3194(a)(1)), an individual seeking to en-  
12 roll in Job Corps and who turns 25 during the  
13 COVID-19 national emergency is eligible for such  
14 enrollment.

15 (2) **ENROLLMENT LENGTH.**—Notwithstanding  
16 section 146(b) of the Workforce Innovation and Op-  
17 portunity Act (29 U.S.C. 3196(b)), an individual en-  
18 rolled in Job Corps during the COVID-19 national  
19 emergency may extend their period of enrollment for  
20 more than 2 years as long as such extension does  
21 not exceed a 2-year, continuous period of enrollment  
22 after the COVID-19 national emergency.

23 (3) **ADVANCED CAREER TRAINING PROGRAMS.**—  
24 Notwithstanding paragraph (2), with respect to ad-  
25 vanced career training programs under section  
26 148(c) of the Workforce Innovation and Opportunity



1 Act (29 U.S.C. 3198(c)) in which the enrollees may  
2 continue to participate for a period not to exceed 1  
3 year in addition to the period of participation to  
4 which the enrollees would otherwise be limited, the  
5 COVID–19 national emergency shall not be consid-  
6 ered as any portion of such additional 1-year partici-  
7 pation period.

8 (4) COUNSELING, JOB PLACEMENT, AND AS-  
9 SESSMENT.—The counseling, job placement, and as-  
10 sessment services described in section 149 of the  
11 Workforce Innovation and Opportunity Act (29  
12 U.S.C. 3199) shall be available to former enrollees—

13 (A) whose enrollment was interrupted due  
14 to the COVID–19 national emergency;

15 (B) who graduated from Job Corps on or  
16 after January 1, 2020; or

17 (C) who graduated from Job Corps not  
18 later than 3 months after the COVID–19 na-  
19 tional emergency.

20 (5) SUPPORT.—The Secretary shall provide ad-  
21 ditional support for the transition periods described  
22 in section 150 of the Workforce Innovation and Op-  
23 portunity Act (29 U.S.C. 3200), including the fol-  
24 lowing:

1 (A) TRANSITION ALLOWANCES.—The Sec-  
2 retary shall provide, subject to the availability  
3 of appropriations, for the provision of additional  
4 transition allowances as described in subsection  
5 (b) of such section 150 (29 U.S.C. 3200) for  
6 Job Corps students who graduate during the  
7 periods described in subparagraph (B) or (C) of  
8 paragraph (4) of this paragraph.

9 (B) TRANSITION SUPPORT.—The Secretary  
10 shall consider the period during the COVID–19  
11 national emergency and the three month period  
12 following the conclusion of the COVID–19 na-  
13 tional emergency as the period in which the  
14 provision of employment services as described in  
15 subsection (c) of such section 150 (29 U.S.C.  
16 3200) shall be provided to graduates who have  
17 graduated in 2020.

18 **SEC. 120203. NATIVE AMERICAN PROGRAMS RESPONDING**  
19 **TO THE COVID–19 NATIONAL EMERGENCY.**

20 As a result of challenges faced by the COVID–19 na-  
21 tional emergency, the Secretary may extend, by 1 fiscal  
22 year, the 4-year period for grants, contracts, and coopera-  
23 tive agreements that will be awarded in fiscal year 2021  
24 under subsection (c) of section 166 of the Workforce Inno-  
25 vation and Opportunity Act (29 U.S.C. 3221) for funds

1 under such grants, contracts, and cooperative agreements  
2 to be used to carry out the activities described in sub-  
3 section (d) of such section through fiscal year 2025.

4 **SEC. 120204. MIGRANT AND SEASONAL FARMWORKER PRO-**  
5 **GRAM RESPONSE.**

6 (a) COMPETITIVE GRANT AWARDS.—As a result of  
7 challenges faced by the COVID–19 national emergency,  
8 the Secretary may extend, by 1 fiscal year, the 4-year pe-  
9 riod for grants and contracts that will be awarded in fiscal  
10 year 2021 under subsection (a) of section 167 of the  
11 Workforce Innovation and Opportunity Act (29 U.S.C.  
12 3222) for funds under such grants and contracts to be  
13 used to carry out the activities described in subsection (d)  
14 of such section through fiscal year 2025.

15 (b) ELIGIBLE MIGRANT AND SEASONAL FARM-  
16 WORKER.—Notwithstanding the definition of “eligible sea-  
17 sonal farmworker” in section 167(i)(3) of the Workforce  
18 Innovation and Opportunity Act (29 U.S.C. 3222(i)(3)),  
19 an individual seeking to enroll in a program funded under  
20 section 167 of the Workforce Innovation and Opportunity  
21 Act (29 U.S.C. 3222) during the COVID–19 national  
22 emergency is eligible for such enrollment if such individual  
23 is a member of a family with a total family income equal  
24 to or less than 150 percent of the poverty line.

1 **SEC. 120205. YOUTHBUILD ACTIVITIES RESPONDING TO**  
2 **THE COVID-19 NATIONAL EMERGENCY.**

3 During the COVID-19 national emergency, the Sec-  
4 retary shall provide for flexibility for YouthBuild partici-  
5 pants and entities carrying out YouthBuild programs, in-  
6 cluding the following:

7 (1) **ELIGIBILITY.**—Notwithstanding the age re-  
8 quirements for enrollment under section  
9 171(e)(1)(A)(i) of the Workforce Innovation and Op-  
10 portunity Act (29 U.S.C. 3226(e)(1)(A)(i)), an indi-  
11 vidual seeking to participate in a YouthBuild pro-  
12 gram and who turns 25 during the COVID-19 na-  
13 tional emergency is eligible for such participation.

14 (2) **PARTICIPATION LENGTH.**—Notwithstanding  
15 section 171(e)(2) of the Workforce Innovation and  
16 Opportunity Act (29 U.S.C. 3226(e)(2)), the period  
17 of participation in a YouthBuild program may ex-  
18 tend beyond 24 months for an individual partici-  
19 pating in such program during the COVID-19 na-  
20 tional emergency, as long as such extension does not  
21 exceed a 24 month, continuous period of enrollment  
22 after the COVID-19 national emergency.

23 **SEC. 120206. APPRENTICESHIP SUPPORT DURING THE**  
24 **COVID-19 NATIONAL EMERGENCY.**

25 Not later than 30 days after the date of enactment  
26 of this Act, the Secretary shall identify and disseminate

1 strategies and tools to support virtual and online learning  
2 and training in apprenticeship programs.

3 **TITLE III—COVID-19 EVERY**  
4 **WORKER PROTECTION ACT**  
5 **OF 2020**

6 **SEC. 120301. SHORT TITLE.**

7 This title may be cited as the “COVID–19 Every  
8 Worker Protection Act of 2020”.

9 **SEC. 120302. EMERGENCY TEMPORARY AND PERMANENT**  
10 **STANDARDS.**

11 (a) EMERGENCY TEMPORARY STANDARD.—

12 (1) IN GENERAL.—In consideration of the grave  
13 danger presented by COVID–19 and the need to  
14 strengthen protections for employees, notwith-  
15 standing the provisions of law and the Executive or-  
16 ders listed in paragraph (7), not later than 7 days  
17 after the date of enactment of this Act, the Sec-  
18 retary of Labor shall promulgate an emergency tem-  
19 porary standard to protect from occupational expo-  
20 sure to SARS–CoV–2—

21 (A) employees of health care sector em-  
22 ployers;

23 (B) employees of employers in the para-  
24 medic and emergency medical services, includ-

1 ing such services provided by firefighters and  
2 other emergency responders; and

3 (C) other employees at occupational risk of  
4 such exposure.

5 (2) CONSULTATION.—In developing the stand-  
6 ard under this subsection, the Secretary of Labor—

7 (A) shall consult with—

8 (i) the Director of the Centers for  
9 Disease Control and Prevention;

10 (ii) the Director of the National Insti-  
11 tute for Occupational Safety and Health;  
12 and

13 (B) may consult with the professional asso-  
14 ciations and representatives of the employees in  
15 the occupations and sectors described in sub-  
16 paragraphs (A) through (C) of paragraph (1).

17 (3) ENFORCEMENT DISCRETION.—If the Sec-  
18 retary of Labor determines it is not feasible for an  
19 employer to comply with a requirement of the stand-  
20 ard promulgated under this subsection (such as a  
21 shortage of the necessary personal protective equip-  
22 ment), the Secretary may exercise discretion in the  
23 enforcement of such requirement if the employer  
24 demonstrates that the employer—

1 (A) is exercising due diligence to come into  
2 compliance with such requirement; and

3 (B) is implementing alternative methods  
4 and measures to protect employees.

5 (4) EXTENSION OF STANDARD.—Notwith-  
6 standing paragraphs (2) and (3) of section 6(c) of  
7 the Occupational Safety and Health Act of 1970 (29  
8 U.S.C. 655(c)), the emergency temporary standard  
9 promulgated under this subsection shall be in effect  
10 until the date on which the final standard promul-  
11 gated under subsection (b) is in effect.

12 (5) STATE PLAN ADOPTION.—With respect to a  
13 State with a State plan that has been approved by  
14 the Secretary of Labor under section 18 of the Oc-  
15 cupational Safety and Health Act of 1970 (29  
16 U.S.C. 667), not later than 14 days after the date  
17 of enactment of this Act, such State shall promul-  
18 gate an emergency temporary standard that is at  
19 least as effective in protecting from occupational ex-  
20 posure to SARS-CoV-2 the employees in the occu-  
21 pations and sectors described in subparagraphs (A)  
22 through (C) of paragraph (1) as the emergency tem-  
23 porary standard promulgated under this subsection.

24 (6) EMPLOYER DEFINED.—For purposes of the  
25 standard promulgated under this subsection, the

1 term “employer” (as defined in section 3 of the Oc-  
2 cupational Safety and Health Act of 1970 (29  
3 U.S.C. 652)) includes any State or political subdivi-  
4 sion of a State, except for a State or political sub-  
5 division of a State already subject to the jurisdiction  
6 of a State plan approved under section 18(b) of the  
7 Occupational Safety and Health Act of 1970 (29  
8 U.S.C. 667(b)).

9 (7) INAPPLICABLE PROVISIONS OF LAW AND  
10 EXECUTIVE ORDER.—The provisions of law and the  
11 Executive orders list in this paragraph are as fol-  
12 lows:

13 (A) The requirements of chapter 6 of title  
14 5, United States Code (commonly referred to as  
15 the “Regulatory Flexibility Act”).

16 (B) Subchapter I of chapter 35 of title 44,  
17 United States Code (commonly referred to as  
18 the “Paperwork Reduction Act”).

19 (C) The Unfunded Mandates Reform Act  
20 of 1995 (2 U.S.C. 1501 et seq.).

21 (D) Executive Order 12866 (58 Fed. Reg.  
22 190; relating to regulatory planning and re-  
23 view), as amended.



1 (E) Executive Order 13771 (82 Fed. Reg.  
2 9339, relating to reducing regulation and con-  
3 trolling regulatory costs).

4 (b) PERMANENT STANDARD.—Not later than 24  
5 months after the date of enactment of this Act, the Sec-  
6 retary of Labor shall, pursuant to section 6 of the Occupa-  
7 tional Safety and Health Act (29 U.S.C. 655), promulgate  
8 a final standard—

9 (1) to protect employees in the occupations and  
10 sectors described in subparagraphs (A) through (C)  
11 of subsection (a)(1) from occupational exposure to  
12 infectious pathogens, including novel pathogens; and

13 (2) that shall be effective and enforceable in the  
14 same manner and to the same extent as a standard  
15 promulgated under section 6(b) of the Occupational  
16 Safety and Health Act of 1970 (29 U.S.C. 655(b)).

17 (c) REQUIREMENTS.—Each standard promulgated  
18 under this section shall include—

19 (1) a requirement that the employers of the em-  
20 ployees in the occupations and sectors described in  
21 subparagraphs (A) through (C) of subsection  
22 (a)(1)—

23 (A) develop and implement a comprehen-  
24 sive infectious disease exposure control plan,  
25 with the input and involvement of employees or,

1 where applicable, the representatives of employ-  
2 ees, as appropriate, to address the risk of occu-  
3 pational exposure in such sectors and occupa-  
4 tions; and

5 (B) record and report each work-related  
6 COVID-19 infection and death, as set forth in  
7 part 1904 of title 29, Code of Federal Regula-  
8 tions (as in effect on the date of enactment of  
9 this Act);

10 (2) no less protection for novel pathogens than  
11 precautions mandated by standards adopted by a  
12 State plan that has been approved by the Secretary  
13 of Labor under section 18 of the Occupational Safe-  
14 ty and Health Act of 1970 (29 U.S.C. 667); and

15 (3) the incorporation, as appropriate, of—

16 (A) guidelines issued by the Centers for  
17 Disease Control and Prevention, the National  
18 Institute for Occupational Safety and Health,  
19 and the Occupational Safety and Health Ad-  
20 ministration which are designed to prevent the  
21 transmission of infectious agents in health care  
22 or other occupational settings; and

23 (B) relevant scientific research on novel  
24 pathogens.

25 (d) ANTI-RETALIATION.—

1           (1) POLICY.—Each standard promulgated  
2           under this section shall require employers to adopt  
3           a policy prohibiting the discrimination and retaliation  
4           described in paragraph (2) by any person (including  
5           an agent of the employer).

6           (2) PROHIBITION.—No employer (including an  
7           agent of the employer) shall discriminate or retaliate  
8           against an employee for—

9                   (A) reporting to the employer, to a local,  
10                  State, or Federal government agency, or to the  
11                  media or on a social media platform—

12                          (i) a violation of a standard promulgated  
13                          pursuant to this Act;

14                          (ii) a violation of an infectious disease  
15                          exposure control plan described in subsection  
16                          (c)(1); or

17                          (iii) a good faith concern about a  
18                          workplace infectious disease hazard;

19                   (B) seeking assistance or intervention from  
20                   the employer or a local, State, or Federal government  
21                   agency with respect to such a report;

22                   (C) voluntary use of personal protective  
23                   equipment with a higher level of protection than  
24                   is provided by the employer; or

1 (D) exercising any other right under the  
2 Occupational Safety and Health Act of 1970  
3 (29 U.S.C. 651 et seq.).

4 (3) ENFORCEMENT.—This subsection shall be  
5 enforced in the same manner and to the same extent  
6 as any standard promulgated under section 6(b) of  
7 the Occupational Safety and Health Act of 1970 (29  
8 U.S.C. 655(b)).

9 **SEC. 120303. SURVEILLANCE, TRACKING, AND INVESTIGA-**  
10 **TION OF WORK-RELATED CASES OF COVID-19.**

11 The Director of the Centers for Disease Control and  
12 Prevention, in conjunction with the Director of the Na-  
13 tional Institute for Occupational Safety and Health,  
14 shall—

15 (1) collect and analyze case reports, including  
16 information on the work status, occupation, and in-  
17 dustry classification of an individual, and other data  
18 on COVID–19, to identify and evaluate the extent,  
19 nature, and source of COVID–19 among employees  
20 in the occupations and sectors described in subpara-  
21 graphs (A) through (C) of section 120302(a)(1);

22 (2) investigate, as appropriate, individual cases  
23 of COVID–19 among such employees to evaluate the  
24 source of exposure and adequacy of infection and ex-  
25 posure control programs and measures;

1 (3) provide regular periodic reports on COVID–  
2 19 among such employees to the public; and

3 (4) based on such reports and investigations,  
4 make recommendations on needed actions or guid-  
5 ance to protect such employees.

6 **TITLE IV—COMMUNITY AND**  
7 **FAMILY SUPPORT**

8 **SEC. 120401. MATCHING FUNDS WAIVER FOR FORMULA**  
9 **GRANTS AND SUBGRANTS UNDER THE FAM-**  
10 **ILY VIOLENCE PREVENTION AND SERVICES**  
11 **ACT.**

12 (a) WAIVER OF MATCHING FUNDS FOR AWARDED  
13 GRANTS AND SUBGRANTS.—The Secretary of Health and  
14 Human Services shall waive—

15 (1) the non-Federal contributions requirement  
16 under subsection (c)(4) of section 306 of the Family  
17 Violence Prevention and Services Act (42 U.S.C.  
18 10406) with respect to the grants and subgrants  
19 awarded in fiscal years 2019 and 2020 to each State  
20 (as defined in section 302 of such Act (42 U.S.C.  
21 10402)) and the eligible entities within such State  
22 under such section or section 308 of such Act (42  
23 U.S.C. 10408); and

1 (2) the reporting requirements required under  
2 such grants and subgrants that relate to such non-  
3 Federal contributions requirement.

4 (b) WAIVER OF MATCHING FUNDS FOR GRANTS  
5 AWARDED AFTER DATE OF ENACTMENT.—

6 (1) IN GENERAL.—Subsection (c)(4) of section  
7 306 of the Family Violence Prevention and Services  
8 Act (42 U.S.C. 10406) shall not apply to a qualified  
9 grant during the period of a public health emergency  
10 declared pursuant to section 319 of the Public  
11 Health Service Act (42 U.S.C. 247d) resulting from  
12 the COVID–19 pandemic.

13 (2) QUALIFIED GRANT DEFINED.—In this sub-  
14 section, the term “qualified grant” means a grant or  
15 subgrant awarded—

16 (A) after the date of the enactment of this  
17 section; and

18 (B) under section 306, 308, or 309 of the  
19 Family Violence Prevention and Services Act  
20 (42 U.S.C. 10406; 10408; 10409).

21 **SEC. 120402. DISTRIBUTION OF CERTAIN FUNDS APPRO-**  
22 **RIATED FOR THE COMMUNITY SERVICES**  
23 **BLOCK GRANT ACT.**

24 (a) DISTRIBUTION OF CARES ACT FUNDS TO  
25 STATES.—Section 675B(b)(3) of the Community Services

1 Block Grant Act (42 U.S.C. 9906(b)(3)) shall not apply  
2 with respect to funds appropriated by the CARES Act  
3 (Public Law 116–136) to carry out the Community Serv-  
4 ices Block Grant Act (42 U.S.C.9901 et seq.).

5 (b) INCREASED POVERTY LINE.—For purposes of  
6 carrying out the Community Services Block Grant Act (42  
7 U.S.C. 9901 et seq.) with any funds appropriated for fis-  
8 cal year 2020 for such Act, the term “poverty line” as  
9 defined in section 673(2) of such Act (42 U.S.C. 9902(2))  
10 means 200 percent of the poverty line otherwise applicable  
11 under such section (excluding the last sentence of such  
12 section) without regard to this subsection.

13 **SEC. 120403. USE OF LIHEAP SUPPLEMENTAL APPROPRIA-**  
14 **TIONS.**

15 Notwithstanding the Low-Income Home Energy As-  
16 sistance Act of 1981, with respect to amounts appro-  
17 priated under title VI of division A of this Act to carry  
18 out the Low-Income Home Energy Assistance Act of  
19 1981, each State, the Commonwealth of Puerto Rico,  
20 Guam, American Samoa, the Virgin Islands of the United  
21 States, the Commonwealth of the Northern Mariana Is-  
22 lands, and each Indian Tribe, as applicable, that receives  
23 an allotment of funds from such amounts—

24 (1) shall, in using such funds, for purposes of  
25 income eligibility, accept proof of job loss or severe

1 income loss dated after February 29, 2020, such as  
2 a layoff or furlough notice or verification of applica-  
3 tion for unemployment benefits, as sufficient to dem-  
4 onstrate lack of income for an individual or house-  
5 hold; and

6 (2) may use not more than 12.5 percent of such  
7 funds for administrative costs.

8 **TITLE V—COVID-19 PROTEC-**  
9 **TIONS UNDER LONGSHORE**  
10 **AND HARBOR WORKERS’**  
11 **COMPENSATION ACT**

12 **SEC. 120501. COMPENSATION PURSUANT TO THE**  
13 **LONGSHORE AND HARBOR WORKERS’ COM-**  
14 **PENSATION ACT.**

15 (a) ENTITLEMENT TO COMPENSATION.—

16 (1) IN GENERAL.—A covered employee who re-  
17 ceives a diagnosis or is subject to an order described  
18 in paragraph (2)(B) and who provides notice of or  
19 files a claim relating to such diagnosis or order  
20 under section 12 or 13 of the Longshore and Harbor  
21 Workers’ Compensation Act (33 U.S.C. 912, 913),  
22 respectively, shall—

23 (A) be deemed to have an injury arising  
24 out of or in the course of employment for which  
25 compensation is payable under the Longshore



1 and Harbor Workers’ Compensation Act (33  
2 U.S.C. 901 et seq.); and

3 (B) be paid the compensation to which the  
4 employee is entitled under such Act (33 U.S.C.  
5 901 et seq.).

6 (2) COVERED EMPLOYEE.—In this section, the  
7 term “covered employee” means an employee who—

8 (A) at any time during the period begin-  
9 ning on January 27, 2020, and ending on Jan-  
10 uary 27, 2022, was engaged in maritime em-  
11 ployment; and

12 (B) was—

13 (i) at any time during the period be-  
14 ginning on January 27, 2020, and ending  
15 on February 27, 2022, diagnosed with  
16 COVID–19; or

17 (ii) at any time during the period de-  
18 scribed in subparagraph (A), ordered not  
19 to return to work by the employee’s em-  
20 ployer or by a local, State, or Federal  
21 agency because of exposure, or the risk of  
22 exposure, to 1 or more individuals diag-  
23 nosed with COVID–19 in the workplace.

24 (b) REIMBURSEMENT.—

25 (1) IN GENERAL.—

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1 (A) ENTITLEMENT.—Subject to subpara-  
2 graph (B), an employer of a covered employee  
3 or the employer’s carrier shall be entitled to re-  
4 imbursement for any compensation paid with  
5 respect to a notice or claim described in sub-  
6 section (a), including disability benefits, funeral  
7 and burial expenses, medical or other related  
8 costs for treatment and care, and reasonable  
9 and necessary allocated claims expenses.

10 (B) SAFETY AND HEALTH REQUIRE-  
11 MENTS.—To be entitled to reimbursement  
12 under subparagraph (A)—

13 (i) an employer shall be in compliance  
14 with all applicable safety and health guide-  
15 lines and standards that are related to the  
16 prevention of occupational exposure to  
17 COVID–19, including such guidelines and  
18 standards issued by the Occupational Safe-  
19 ty and Health Administration, State plans  
20 approved under section 18 of the Occupa-  
21 tional Safety and Health Act of 1970 (29  
22 U.S.C. 667), the Coast Guard, and Fed-  
23 eral, State or local public health authori-  
24 ties; and

25 (ii) a carrier—

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1 (I) shall be a carrier for an em-  
2 ployer that is in compliance with  
3 clause (i); and

4 (II) shall not adjust the experi-  
5 ence rating or the annual premium of  
6 the employer based upon the com-  
7 pensation paid by the carrier with re-  
8 spect to a notice or claim described in  
9 subparagraph (A).

10 (2) REIMBURSEMENT PROCEDURES.—To re-  
11 ceive reimbursement under paragraph (1)—

12 (A) a claim for such reimbursement shall  
13 be submitted to the Secretary of Labor—

14 (i) not later than one year after the  
15 final payment of compensation to a covered  
16 employee pursuant to this section; and

17 (ii) in the same manner as a claim for  
18 reimbursement is submitted in accordance  
19 with part 61 of title 20, Code of Federal  
20 Regulations (as in effect on the date of en-  
21 actment of this Act); and

22 (B) an employer and the employer's carrier  
23 shall make, keep, and preserve such records,  
24 make such reports, and provide such informa-

1           tion, as the Secretary of Labor determines nec-  
2           essary or appropriate to carry out this section.

3       (c) SPECIAL FUND.—

4           (1) IN GENERAL.—A reimbursement under  
5       paragraph (1) shall be paid out of the special fund  
6       established in section 44 of Longshore and Harbor  
7       Workers' Compensation Act (33 U.S.C. 944).

8           (2) FUNDING.—There are authorized to be ap-  
9       propriated, and there are appropriated, such funds  
10      as may be necessary to reimburse the special fund  
11      described in paragraph (1) for each reimbursement  
12      paid out of such fund under paragraph (1).

13      (d) REPORT.—Not later than 60 days after the end  
14      of fiscal year 2020, 2021, and 2022, the Secretary of  
15      Labor shall submit to the Committee on Education and  
16      Labor of the House of Representatives and the Committee  
17      on Health, Education, Labor and Pensions of the Senate,  
18      an annual report enumerating—

19           (1) the number of claims filed pursuant to sec-  
20      tion (a)(1);

21           (2) of such filed claims—

22           (A) the number and types of claims ap-  
23      proved under section 13 of the Longshore and  
24      Harbor Workers' Compensation Act (33 U.S.C.  
25      913);

1 (B) the number and types of claims denied  
2 under such section;

3 (C) the number and types of claims pend-  
4 ing under such section; and

5 (3) the amounts and the number of claims for  
6 reimbursement paid out of the special fund under  
7 subsection (c)(1) for the fiscal year for which the re-  
8 port is being submitted.

9 (e) REGULATIONS.—The Secretary of Labor may  
10 promulgate such regulations as may be necessary to carry  
11 out this section.

12 (f) LHWCA TERMS.—In this section, the terms “car-  
13 rier”, “compensation”, “employee”, and “employer” have  
14 the meanings given the terms in section 2 of the  
15 Longshore and Harbor Workers’ Compensation Act (33  
16 U.S.C. 902).

1 **DIVISION M—CONSUMER PRO-**  
2 **TECTION AND TELE-**  
3 **COMMUNICATIONS PROVI-**  
4 **SIONS**  
5 **TITLE I—COVID-19 PRICE**  
6 **GOUGING PREVENTION**

7 **SEC. 130101. SHORT TITLE.**

8 This title may be cited as the “COVID-19 Price  
9 Gouging Prevention Act”.

10 **SEC. 130102. PREVENTION OF PRICE GOUGING.**

11 (a) IN GENERAL.—For the duration of a public  
12 health emergency declared pursuant to section 319 of the  
13 Public Health Service Act (42 U.S.C. 247d) as a result  
14 of confirmed cases of 2019 novel coronavirus (COVID-  
15 19), including any renewal thereof, it shall be unlawful  
16 for any person to sell or offer for sale a good or service  
17 at a price that—

18 (1) is unconscionably excessive; and

19 (2) indicates the seller is using the cir-  
20 cumstances related to such public health emergency  
21 to increase prices unreasonably.

22 (b) FACTORS FOR CONSIDERATION.—In determining  
23 whether a person has violated subsection (a), there shall  
24 be taken into account, with respect to the price at which

1 such person sold or offered for sale the good or service,  
2 factors that include the following:

3 (1) Whether such price grossly exceeds the av-  
4 erage price at which the same or a similar good or  
5 service was sold or offered for sale by such person—

6 (A) during the 90-day period immediately  
7 preceding January 31, 2020; or

8 (B) during the period that is 45 days be-  
9 fore or after the date that is one year before  
10 the date such good or service is sold or offered  
11 for sale under subsection (a).

12 (2) Whether such price grossly exceeds the av-  
13 erage price at which the same or a similar good or  
14 service was readily obtainable from other similarly  
15 situated competing sellers before January 31, 2020.

16 (3) Whether such price reasonably reflects addi-  
17 tional costs, not within the control of such person,  
18 that were paid, incurred, or reasonably anticipated  
19 by such person, or reasonably reflects the profit-  
20 ability of forgone sales or additional risks taken by  
21 such person, to produce, distribute, obtain, or sell  
22 such good or service under the circumstances.

23 (c) ENFORCEMENT.—

24 (1) ENFORCEMENT BY FEDERAL TRADE COM-  
25 MISSION.—

1 (A) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
2 TICES.—A violation of subsection (a) shall be  
3 treated as a violation of a regulation under sec-  
4 tion 18(a)(1)(B) of the Federal Trade Commis-  
5 sion Act (15 U.S.C. 57a(a)(1)(B)) regarding  
6 unfair or deceptive acts or practices.

7 (B) POWERS OF COMMISSION.—The Com-  
8 mission shall enforce subsection (a) in the same  
9 manner, by the same means, and with the same  
10 jurisdiction, powers, and duties as though all  
11 applicable terms and provisions of the Federal  
12 Trade Commission Act (15 U.S.C. 41 et seq.)  
13 were incorporated into and made a part of this  
14 section. Any person who violates such sub-  
15 section shall be subject to the penalties and en-  
16 titled to the privileges and immunities provided  
17 in the Federal Trade Commission Act.

18 (2) EFFECT ON OTHER LAWS.—Nothing in this  
19 section shall be construed in any way to limit the  
20 authority of the Commission under any other provi-  
21 sion of law.

22 (3) ENFORCEMENT BY STATE ATTORNEYS GEN-  
23 ERAL.—

24 (A) IN GENERAL.—If the chief law en-  
25 forcement officer of a State, or an official or



1 agency designated by a State, has reason to be-  
2 lieve that any person has violated or is violating  
3 subsection (a), the attorney general, official, or  
4 agency of the State, in addition to any author-  
5 ity it may have to bring an action in State  
6 court under its consumer protection law, may  
7 bring a civil action in any appropriate United  
8 States district court or in any other court of  
9 competent jurisdiction, including a State court,  
10 to—

11 (i) enjoin further such violation by  
12 such person;

13 (ii) enforce compliance with such sub-  
14 section;

15 (iii) obtain civil penalties; and

16 (iv) obtain damages, restitution, or  
17 other compensation on behalf of residents  
18 of the State.

19 (B) NOTICE AND INTERVENTION BY THE  
20 FTC.—The attorney general of a State shall  
21 provide prior written notice of any action under  
22 subparagraph (A) to the Commission and pro-  
23 vide the Commission with a copy of the com-  
24 plaint in the action, except in any case in which  
25 such prior notice is not feasible, in which case

1 the attorney general shall serve such notice im-  
2 mediately upon instituting such action. The  
3 Commission shall have the right—

4 (i) to intervene in the action;

5 (ii) upon so intervening, to be heard  
6 on all matters arising therein; and

7 (iii) to file petitions for appeal.

8 (C) LIMITATION ON STATE ACTION WHILE  
9 FEDERAL ACTION IS PENDING.—If the Commis-  
10 sion has instituted a civil action for violation of  
11 this section, no State attorney general, or offi-  
12 cial or agency of a State, may bring an action  
13 under this paragraph during the pendency of  
14 that action against any defendant named in the  
15 complaint of the Commission for any violation  
16 of this section alleged in the complaint.

17 (D) RELATIONSHIP WITH STATE-LAW  
18 CLAIMS.—If the attorney general of a State has  
19 authority to bring an action under State law di-  
20 rected at acts or practices that also violate this  
21 section, the attorney general may assert the  
22 State-law claim and a claim under this section  
23 in the same civil action.

1 (4) SAVINGS CLAUSE.—Nothing in this section  
2 shall preempt or otherwise affect any State or local  
3 law.

4 (d) DEFINITIONS.—In this section:

5 (1) COMMISSION.—The term “Commission”  
6 means the Federal Trade Commission.

7 (2) GOOD OR SERVICE.—The term “good or  
8 service” means a good or service offered in com-  
9 merce, including—

10 (A) food, beverages, water, ice, a chemical,  
11 or a personal hygiene product;

12 (B) any personal protective equipment for  
13 protection from or prevention of contagious dis-  
14 eases, filtering facepiece respirators, medical  
15 equipment and supplies (including medical test-  
16 ing supplies), a drug as defined in section  
17 201(g)(1) of the Federal Food, Drug, and Cos-  
18 metic Act (21 U.S.C. 321(g)(1)), cleaning sup-  
19 plies, disinfectants, sanitizers; or

20 (C) any healthcare service, cleaning serv-  
21 ice, or delivery service.

22 (3) STATE.—The term “State” means each of  
23 the several States, the District of Columbia, each  
24 commonwealth, territory, or possession of the United  
25 States, and each federally recognized Indian Tribe.

1 **TITLE II—E-RATE SUPPORT FOR**  
2 **WI-FI HOTSPOTS, OTHER**  
3 **EQUIPMENT, AND CON-**  
4 **NECTED DEVICES**

5 **SEC. 130201. E-RATE SUPPORT FOR WI-FI HOTSPOTS,**  
6 **OTHER EQUIPMENT, AND CONNECTED DE-**  
7 **VICES DURING EMERGENCY PERIODS RELAT-**  
8 **ING TO COVID-19.**

9 (a) REGULATIONS REQUIRED.—Not later than 7  
10 days after the date of the enactment of this Act, the Com-  
11 mission shall promulgate regulations providing for the  
12 provision, from amounts made available from the Emer-  
13 gency Connectivity Fund established under subsection  
14 (i)(1), of support under section 254(h)(1)(B) of the Com-  
15 munications Act of 1934 (47 U.S.C. 254(h)(1)(B)) to an  
16 elementary school, secondary school, or library (including  
17 a Tribal elementary school, Tribal secondary school, or  
18 Tribal library) eligible for support under such section, for  
19 the purchase during an emergency period described in sub-  
20 section (e) (including any portion of such a period occur-  
21 ring before the date of the enactment of this Act) of equip-  
22 ment described in subsection (c), advanced telecommuni-  
23 cations and information services, or equipment described  
24 in such subsection and advanced telecommunications and  
25 information services, for use by—

1 (1) in the case of a school, students and staff  
2 of such school at locations that include locations  
3 other than such school; and

4 (2) in the case of a library, patrons of such li-  
5 brary at locations that include locations other than  
6 such library.

7 (b) TRIBAL ISSUES.—

8 (1) RESERVATION FOR TRIBAL LANDS.—The  
9 Commission shall reserve not less than 5 percent of  
10 the amounts available to the Commission under sub-  
11 section (i)(3) to provide support under the regula-  
12 tions required by subsection (a) to schools and li-  
13 braries that serve persons who are located on Tribal  
14 lands.

15 (2) ELIGIBILITY OF TRIBAL LIBRARIES.—For  
16 purposes of determining the eligibility of a Tribal li-  
17 brary for support under the regulations required by  
18 subsection (a), the portion of paragraph (4) of sec-  
19 tion 254(h) of the Communications Act of 1934 (47  
20 U.S.C. 254(h)) relating to eligibility for assistance  
21 from a State library administrative agency under the  
22 Library Services and Technology Act shall not apply.

23 (c) EQUIPMENT DESCRIBED.—The equipment de-  
24 scribed in this subsection is the following:

25 (1) Wi-Fi hotspots.

1 (2) Modems.

2 (3) Routers.

3 (4) Devices that combine a modem and router.

4 (5) Connected devices.

5 (d) PRIORITIZATION OF SUPPORT.—The Commission  
6 shall provide in the regulations required by subsection (a)  
7 for a mechanism to require a school or library to prioritize  
8 the provision of equipment described in subsection (c), ad-  
9 vanced telecommunications and information services, or  
10 equipment described in such subsection and advanced tele-  
11 communications and information services, for which sup-  
12 port is received under such regulations, to students and  
13 staff or patrons (as the case may be) that the school or  
14 library believes do not have access to equipment described  
15 in subsection (c), do not have access to advanced tele-  
16 communications and information services, or have access  
17 to neither equipment described in subsection (c) nor ad-  
18 vanced telecommunications and information services, at  
19 the residences of such students and staff or patrons.

20 (e) EMERGENCY PERIODS DESCRIBED.—An emer-  
21 gency period described in this subsection is a period  
22 that—

23 (1) begins on the date of a determination by the  
24 Secretary of Health and Human Services pursuant  
25 to section 319 of the Public Health Service Act (42

1 U.S.C. 247d) that a public health emergency exists  
2 as a result of COVID–19; and

3 (2) ends on the June 30 that first occurs after  
4 the date on which such determination (including any  
5 renewal thereof) terminates.

6 (f) TREATMENT OF EQUIPMENT AFTER EMERGENCY  
7 PERIOD.—The Commission shall provide in the regula-  
8 tions required by subsection (a) that, in the case of a  
9 school or library that purchases equipment described in  
10 subsection (c) using support received under such regula-  
11 tions, such school or library—

12 (1) may, after the emergency period with re-  
13 spect to which such support is received, use such  
14 equipment for such purposes as such school or li-  
15 brary considers appropriate, subject to any restric-  
16 tions provided in such regulations (or any successor  
17 regulation); and

18 (2) may not sell or otherwise transfer such  
19 equipment in exchange for any thing (including a  
20 service) of value, except that such school or library  
21 may exchange such equipment for upgraded equip-  
22 ment of the same type.

23 (g) RULE OF CONSTRUCTION.—Nothing in this sec-  
24 tion shall be construed to affect any authority the Com-  
25 mission may have under section 254(h)(1)(B) of the Com-

1 munications Act of 1934 (47 U.S.C. 254(h)(1)(B)) to  
2 allow support under such section to be used for the pur-  
3 poses described in subsection (a) other than as required  
4 by such subsection.

5 (h) PROCEDURAL MATTERS.—

6 (1) PART 54 REGULATIONS.—Nothing in this  
7 section shall be construed to prevent the Commission  
8 from providing that the regulations in part 54 of  
9 title 47, Code of Federal Regulations (or any suc-  
10 cessor regulation), shall apply in whole or in part to  
11 support provided under the regulations required by  
12 subsection (a), shall not apply in whole or in part to  
13 such support, or shall be modified in whole or in  
14 part for purposes of application to such support.

15 (2) EXEMPTION FROM CERTAIN RULEMAKING  
16 REQUIREMENTS.—Subsections (b), (c), and (d) of  
17 section 553 of title 5, United States Code, shall not  
18 apply to a regulation promulgated under subsection  
19 (a) of this section or a rulemaking to promulgate  
20 such a regulation.

21 (3) PAPERWORK REDUCTION ACT EXEMP-  
22 TION.—A collection of information conducted or  
23 sponsored under the regulations required by sub-  
24 section (a), or under section 254 of the Communica-  
25 tions Act of 1934 (47 U.S.C. 254) in connection



1 with support provided under such regulations, shall  
2 not constitute a collection of information for the  
3 purposes of subchapter I of chapter 35 of title 44,  
4 United States Code (commonly referred to as the  
5 Paperwork Reduction Act).

6 (i) EMERGENCY CONNECTIVITY FUND.—

7 (1) ESTABLISHMENT.—There is established in  
8 the Treasury of the United States a fund to be  
9 known as the Emergency Connectivity Fund.

10 (2) AUTHORIZATION OF APPROPRIATIONS.—  
11 There is authorized to be appropriated to the Emer-  
12 gency Connectivity Fund \$5,000,000,000 for fiscal  
13 year 2020, to remain available through fiscal year  
14 2021.

15 (3) USE OF FUNDS.—Amounts in the Emer-  
16 gency Connectivity Fund shall be available to the  
17 Commission to provide support under the regula-  
18 tions required by subsection (a).

19 (4) RELATIONSHIP TO UNIVERSAL SERVICE  
20 CONTRIBUTIONS.—Support provided under the regu-  
21 lations required by subsection (a) shall be provided  
22 from amounts made available under paragraph (3)  
23 and not from contributions under section 254(d) of  
24 the Communications Act of 1934 (47 U.S.C.  
25 254(d)).

1 (j) DEFINITIONS.—In this section:

2 (1) ADVANCED TELECOMMUNICATIONS AND IN-  
3 FORMATION SERVICES.—The term “advanced tele-  
4 communications and information services” means  
5 advanced telecommunications and information serv-  
6 ices, as such term is used in section 254(h) of the  
7 Communications Act of 1934 (47 U.S.C. 254(h)).

8 (2) COMMISSION.—The term “Commission”  
9 means the Federal Communications Commission.

10 (3) CONNECTED DEVICE.—The term “con-  
11 nected device” means a laptop computer, tablet com-  
12 puter, or similar device that is capable of connecting  
13 to advanced telecommunications and information  
14 services.

15 (4) LIBRARY.—The term “library” includes a  
16 library consortium.

17 (5) TRIBAL LAND.—The term “Tribal land”  
18 means—

19 (A) any land located within the boundaries  
20 of—

21 (i) an Indian reservation, pueblo, or  
22 rancharia; or

23 (ii) a former reservation within Okla-  
24 homa;

1 (B) any land not located within the bound-  
2 aries of an Indian reservation, pueblo, or  
3 rancheria, the title to which is held—

4 (i) in trust by the United States for  
5 the benefit of an Indian Tribe or an indi-  
6 vidual Indian;

7 (ii) by an Indian Tribe or an indi-  
8 vidual Indian, subject to restriction against  
9 alienation under laws of the United States;  
10 or

11 (iii) by a dependent Indian commu-  
12 nity;

13 (C) any land located within a region estab-  
14 lished pursuant to section 7(a) of the Alaska  
15 Native Claims Settlement Act (43 U.S.C.  
16 1606(a));

17 (D) Hawaiian Home Lands, as defined in  
18 section 801 of the Native American Housing  
19 Assistance and Self-Determination Act of 1996  
20 (25 U.S.C. 4221); or

21 (E) those areas or communities designated  
22 by the Assistant Secretary of Indian Affairs of  
23 the Department of the Interior that are near,  
24 adjacent, or contiguous to reservations where fi-  
25 nancial assistance and social service programs

1 are provided to Indians because of their status  
2 as Indians.

3 (6) TRIBAL LIBRARY.—The term “Tribal li-  
4 brary” means, only during an emergency period de-  
5 scribed under subsection (e), a facility owned by an  
6 Indian Tribe, serving Indian Tribes, or serving  
7 American Indians, Alaskan Natives, or Native Ha-  
8 waiian communities, including—

9 (A) a Tribal library or Tribal library con-  
10 sortium; or

11 (B) a Tribal government building, chapter  
12 house, longhouse, community center, or other  
13 similar public building.

14 (7) WI-FI.—The term “Wi-Fi” means a wire-  
15 less networking protocol based on Institute of Elec-  
16 trical and Electronics Engineers standard 802.11  
17 (or any successor standard).

18 (8) WI-FI HOTSPOT.—The term “Wi-Fi  
19 hotspot” means a device that is capable of—

20 (A) receiving mobile advanced tele-  
21 communications and information services; and

22 (B) sharing such services with another de-  
23 vice through the use of Wi-Fi.

1 **TITLE III—EMERGENCY BENEFIT**  
2 **FOR BROADBAND SERVICE**

3 **SEC. 130301. BENEFIT FOR BROADBAND SERVICE DURING**  
4 **EMERGENCY PERIODS RELATING TO COVID—**  
5 **19.**

6 (a) PROMULGATION OF REGULATIONS REQUIRED.—  
7 Not later than 7 days after the date of the enactment of  
8 this Act, the Commission shall promulgate regulations im-  
9 plementing this section.

10 (b) REQUIREMENTS.—The regulations promulgated  
11 pursuant to subsection (a) shall establish the following:

12 (1) EMERGENCY BROADBAND BENEFIT.—Dur-  
13 ing an emergency period, a provider shall provide an  
14 eligible household with an internet service offering,  
15 upon request by a member of such household. Such  
16 provider shall discount the price charged to such  
17 household for such internet service offering in an  
18 amount equal to the emergency broadband benefit  
19 for such household.

20 (2) VERIFICATION OF ELIGIBILITY.—To verify  
21 whether a household is an eligible household, a pro-  
22 vider shall either—

23 (A) use the National Lifeline Eligibility  
24 Verifier; or

1 (B) rely upon an alternative verification  
2 process of the provider, if the Commission finds  
3 such process to be sufficient to avoid waste,  
4 fraud, and abuse.

5 (3) USE OF NATIONAL LIFELINE ELIGIBILITY  
6 VERIFIER.—The Commission shall—

7 (A) expedite the ability of all providers to  
8 access the National Lifeline Eligibility Verifier  
9 for purposes of determining whether a house-  
10 hold is an eligible household; and

11 (B) ensure that the National Lifeline Eligi-  
12 bility Verifier approves an eligible household to  
13 receive the emergency broadband benefit not  
14 later than two days after the date of the sub-  
15 mission of information necessary to determine if  
16 such household is an eligible household.

17 (4) EXTENSION OF EMERGENCY PERIOD.—An  
18 emergency period may be extended within a State or  
19 any portion thereof if the State, or in the case of  
20 Tribal land, a Tribal government, provides written,  
21 public notice to the Commission stipulating that an  
22 extension is necessary in furtherance of the recovery  
23 related to COVID–19. The Commission shall, within  
24 48 hours after receiving such notice, post the notice  
25 on the public website of the Commission.

1           (5) REIMBURSEMENT.—From the Emergency  
2       Broadband Connectivity Fund established in sub-  
3       section (h), the Commission shall reimburse a pro-  
4       vider in an amount equal to the emergency  
5       broadband benefit with respect to an eligible house-  
6       hold that receives such benefit from such provider.

7           (6) REIMBURSEMENT FOR CONNECTED DE-  
8       VICE.—A provider that, in addition to providing the  
9       emergency broadband benefit to an eligible house-  
10      hold, supplies such household with a connected de-  
11      vice may be reimbursed up to \$100 from the Emer-  
12      gency Broadband Connectivity Fund established in  
13      subsection (h) for such connected device, if the  
14      charge to such eligible household is more than \$10  
15      but less than \$50 for such connected device, except  
16      that a provider may receive reimbursement for no  
17      more than one connected device per eligible house-  
18      hold.

19          (7) NO RETROACTIVE REIMBURSEMENT.—A  
20      provider may not receive a reimbursement from the  
21      Emergency Broadband Connectivity Fund for pro-  
22      viding an internet service offering discounted by the  
23      emergency broadband benefit, or for supplying a  
24      connected device, that was provided or supplied (as

1 the case may be) before the date of the enactment  
2 of this Act.

3 (8) CERTIFICATION REQUIRED.—To receive a  
4 reimbursement under paragraph (5) or (6), a pro-  
5 vider shall certify to the Commission the following:

6 (A) That the amount for which the pro-  
7 vider is seeking reimbursement from the Emer-  
8 gency Broadband Connectivity Fund for an  
9 internet service offering to an eligible household  
10 is not more than the normal rate.

11 (B) That each eligible household for which  
12 a provider is seeking reimbursement for pro-  
13 viding an internet service offering discounted by  
14 the emergency broadband benefit—

15 (i) has not been and will not be  
16 charged—

17 (I) for such offering, if the nor-  
18 mal rate for such offering is less than  
19 or equal to the amount of the emer-  
20 gency broadband benefit for such  
21 household; or

22 (II) more for such offering than  
23 the difference between the normal rate  
24 for such offering and the amount of



1 the emergency broadband benefit for  
2 such household;

3 (ii) will not be required to pay an  
4 early termination fee if such eligible house-  
5 hold elects to enter into a contract to re-  
6 ceive such internet service offering if such  
7 household later terminates such contract;  
8 and

9 (iii) was not subject to a mandatory  
10 waiting period for such internet service of-  
11 fering based on having previously received  
12 broadband internet access service from  
13 such provider.

14 (C) A description of the process used by  
15 the provider to verify that a household is an eli-  
16 gible household, if the provider elects an alter-  
17 native verification process under paragraph  
18 (2)(B), and that such verification process was  
19 designed to avoid waste, fraud, and abuse.

20 (9) AUDIT REQUIREMENTS.—The Commission  
21 shall adopt audit requirements to ensure that pro-  
22 viders are in compliance with the requirements of  
23 this section and to prevent waste, fraud, and abuse  
24 in the emergency broadband benefit program estab-  
25 lished under this section.